



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2021

CORAM

THE HON'BLE MR. JUSTICE SETHILKUMAR RAMAMOORTHY

W.P. (MD) No.14654 of 2021

and

W.M.P. (MD) .Nos.11582 & 11585 of 2021

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Hotel Jagam private Limited,
Rep by its Managing Director,
Mr.M.Joseph Rathinasamy,
Having Office at No.28,
Bye Pass Road,
Madurai-625 010

... Petitioner

Vs.

1.Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO)
Rep. by its Chairman and Managing Director,
Chennai 600 002.

2.The Accounts Officer/Revenue (E & OE),
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO)
Madurai West,
Madurai.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, calling for the records leading to the issuance of the original impugned High Tension Bills (Provisional) issued by the second respondent for the months of March 2020 dated 04.04.2020, April 2020 dated 06.05.2020, May 2020 dated 04.06.2020, June 2020 dated 05.07.2020, July 2020 dated 05.08.2020 and August 2020 dated 05.09.2020, pertaining to Service No.059094630065 in violation Regulation 6 (b) of the Tamil Nadu Electricity Supply Code, 2004 and quash the same and direct the respondents to rework the HT bill with service number 059094630065 and the excess amount shall be adjusted towards the future bills and the minimum charges alone shall be collected by the second respondent for the period from March 2020 to August 2020 and not to levy any penalty for the period of Lock Down.

For Petitioner : Mr.Vijayan Subramanian
For Respondents : Ms.M.Rajeswari for
Mr.S.M.S.Johnny Basha,
Standing Counsel



O R D E R

The petitioner challenges the High Tension Bills issued by the second respondent for the months of March 2020, April 2020, May 2020, June 2020, July 2020 and August 2020 in respect of service connection No.059094630065.

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2.The petitioner draws the attention of the Court to an earlier order passed in a batch of cases of which the lead case was W.P.No.7678 of 2020. Therefore, similar orders are prayed for in the present writ petition.

3.Ms.Rajeswari, learned counsel appearing for Mr.Jhony Basha, learned Standing Counsel for respondents, states that a writ appeal in W.A.No.1050 of 2021 has been filed in respect of a similar order. Therefore, she requests that the present writ petition may be adjourned until such writ appeal is decided.

4.Apart from the order dated 14.08.2020 in the batch of cases, the petitioner has also relied upon the order dated 10.09.2020 in W.P.(MD).No.11320 of 2020. In view of the consistent position taken in respect of similar demands by this Court, the present writ petition in W.P.(MD).No.14654 of 2021 is allowed in terms of the order dated 10.09.2020 in W.P.(MD).No.11320 of 2020. Needless to say, it is open to the respondents to carry the matter in appeal. Consequently, connected W.M.P.(MD).Nos.11582 & 15585 of 2021 are closed. There will be no order as to costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1.Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO)
The Chairman and Managing Director,
Chennai 600 002.

2.The Accounts Officer/Revenue (E & OE),
Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO)
Madurai West,
Madurai.

W.P. (MD) No.14654 of 2021

and

W.M.P. (MD) .Nos.11582 & 11585 of 2021

18.08.2021

RS (26.08.2021) 2P 3C

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