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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2022

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THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P.No.31410 of 2012  
and M.P.Nos.1, 2 and 3 of 2012

Vedagiri Paper & Boards (P) Ltd., HTSC No.276,  
No.25, Mudhali Thottam,  
Veerappanchatram Post, Erode - 638 004.  
Rep. by its Authorised Signature,  
V.Thirumoorthi Selvam.

... Petitioner

Vs.

1. Tamil Nadu Electricity Regulatory  
Commission repd. by its Secretary,  
19-A, Rukmini Lakshmipathy Salai,  
(Marshall's Road), Egmore,  
Chennai - 600 008.
2. The Chairman,  
Tamil Nadu Generation and Distribution  
Corporation Limited,  
144, Anna Salai, Chennai - 600 002.
3. The Superintending Engineer,  
Erode Electricity Distribution Circle,  
TANGEDCO, TNEB, Erode.
4. The Accounts Officer,  
Erode Electricity Distribution Circle,  
TANGEDCO, TNEB, Erode.

... Respondents

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the fourth respondent in his Bill No.276, dated 01.10.2012 issued by the fourth respondent in so far as it relates to the levy of penalty of excess demand charges to the tune of Rs.1,05,438/- in Serial No.13(f) quash the same as illegal, arbitrary without the authority of law and consequently forbear the fourth respondent from taking energy adjusted instead of energy available to the credit of the petitioner for the purpose of equivalent demand calculation till the power cut, load shedding are in force and



direct the fourth respondent to give refund/adjustment of the amount already collected from the petitioner.

For Petitioner : M/s.R.S.Pandiyaraj

For Respondents : M/s.Abdul Kalam  
Standing Counsel

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### O R D E R

The present Writ Petition has been filed challenging the correctness of the impugned Bill No.276, dated 01.10.2012 issued by the Accounts Officer, Erode Electricity Distribution Circle, TANGEDCO, Erode, fourth respondent herein.

2. The learned counsel appearing for the petitioner would submit that when the similar issue was questioned by the Tamil Nadu Spinning Mills Association against the Tamil Nadu Electricity Regulatory Commission and others in I.A.No.736 of 2019 in D.F.R.No.1584 of 2019, the Appellate Tribunal for Electricity by order dated 24.07.2019 has passed an interim order to the effect that no coercive steps shall be taken against the appellant till the next date of hearing.

3. In view of the fact that an interim order dated 24.07.2019 has been passed by the Appellate Tribunal for Electricity in favour of the Tamil Nadu Spinning Mills Association in the similar issue as that of the petitioner, recording the same, the Writ Petition is disposed of. No coercive steps shall be taken against the petitioner till the orders are passed by the respondents. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-II)

//True copy//

Sub Assistant Registrar

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To

1. The Secretary,  
Tamil Nadu Electricity Regulatory Commission,  
19-A, Rukmini Lakshmipathy Salai,  
(Marshall's Road), Egmore,  
Chennai - 600 008.



2. The Chairman,  
Tamil Nadu Generation and Distribution  
Corporation Limited,  
144, Anna Salai,  
Chennai - 600 002.

3. The Superintending Engineer,  
Erode Electricity Distribution Circle,  
TANGEDCO, TNEB, Erode.

4. The Accounts Officer,  
Erode Electricity Distribution Circle,  
TANGEDCO, TNEB, Erode.

+1cc to Mr.R.S.Pandiyaraj, Advocate SR.No.10160

W.P.No.31410 of 2012  
and M.P.Nos.1, 2 and 3 of 2012

PL(CO)  
GMY(03/03/2022)