



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.02.2022
CORAM
THE HONOURABLE Mr. JUSTICE K. KALYANASUNDARAM

WEB COPY

W.P.Nos.32990 & 32991 of 2013
and
M.P.Nos.1 & 2 of 2013

Govaan Steel (P) Ltd., HTSC No.229
S.F.No.544/1,2,3 Sengalipalayam Pirivu
Chinnakanur (Po)
Kanur Village, Annur 641 653
Rep.its Authorised Signature
Mr.G.Sekar ...Petitioner in both W.P.Nos.

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 Electricity Board
144, Anna Salai, Chennai 600 002.
3. The Superintending Engineer
Tiruppur Elec. Distribution Circle
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO)
Tiruppur. ...Respondents in both W.P.Nos.

Prayer in W.P.No.32990 of 2013:- This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari, calling for the records of the third respondent in his impugned demand Lr.No.SE/TEDC/TPR/DFC/AO/R/HT/SC.229/D 4038/2013 dated 10.2013 quash the same for the towards alleged short levy of excess adjustment of third party power for the month of June/2012.

Prayer in W.P.No.32991 of 2013:- This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, calling for the records of the third respondent in his impugned demand Lr.No.SE/TEDC/TPR/AO/R/DFC/F.HT/BOAB/D 67/13 dated 12.02.2013 quash the same for the towards alleged short levy of excess adjustment of third party power for the month from 27.06.2011 to 24.03.2012 and consequently, direct the third respondent to give refund/adjustment of Rs.35,58.646/- illegally collected from the petitioner.



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For Petitioner in
both W.P.Nos. : Mr.R.S.Pandiyaraj

For Respondents : Mr.Abul Kalam
both W.P.Nos. Standing Counsel

COMMON ORDER

These writ petitions have been filed challenging the correctness of the impugned Bill dated 10.2013 issued by the Superintending Engineer, Erode, the third 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, the writ petitions are disposed of. No coercive steps shall be taken against the petitioner till the orders are passed by the respondents. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

pvs
To

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

2.The Chairman
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3.The Superintending Engineer
Tiruppur Elec. Distribution Circle
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO)
Tiruppur.

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+1 cc to Mr.R.S.Pandiaraj, Advocate Sr.NO. 13501

W.P.Nos.32990 & 32991 of 2013
and
M.P.Nos.1 & 2 of 2013

spd(CO)
A.SK(11/03/2022)