



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31-01-2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.9833 OF 2012

M/s.Sabari Textiles Pvt. Ltd.,
H.T.Sc No.525,
S.F.No.59/1, Vadavalli Village,
Velappanaikenpalayam (P.O.),
Sultanpet (via), Sulur Taluk,
Coimbatore District 641 669,
Represented by its Director,
Shashi Kumar.

...Petitioner

vs.

- 1.The Chairman,
Tamil Nadu Electricity Board,
144, Anna Salai,
Chennai - 600 002.
- 2.The Chief Engineer,
Commercial,
Tamil Nadu Electricity Board,
II Floor, NPKRR Maaligai,
144, Anna Salai, Chennai - 600 002.
- 3.The Superintending Engineer,
TANGEDCO,
Coimbatore Electricity Distribution Circle/South,
Tamil Nadu Electricity Board,
Tatabad, Coimbatore - 641 021.

...Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the third respondent in Letter No.SE/CEDC/S/ CBE/AEE/GL/AE2/F/D273/12 dated 16.02.2012 and quash the same as illegal, arbitrary and untenable under law and consequently directing the third respondent to sanction and effect additional demand of 870 K.V.A. in addition to the existing demand of 970 K.V.A. to the petitioner industry M/s.Sabari Textiles (P) Ltd., H.T.Sc.No.528 at S.F.No.59/1, Vadavalli Village, Velappanaikenpalayam (P.O.), Sultanpet (via) Sulur Taluk, Coimbatore-641 669.

For Petitioner

: Mr.S.P.Parthasarathy for
Mr.K.Seshadri.



For Respondents-1 to 3 : Mr.L.Jai Venkatesh,
Standing Counsel for TANGEDCO.

O R D E R

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With reference to the relief sought for in the present writ petition, the TANGEDCO issued the Memo dated 23.01.2014.

2. The learned counsel for the petitioner produced the copy of the Memo issued by the TANGEDCO in proceedings No.CE/Coml/EET/AEE.2/F.Consumers with arrears/D.28/13 dated 23.01.2013 and the learned counsel is relying on paragraph-(iii) of the said memo and the same is extracted as under:-

"(iii) When the consumers having outstanding dues approach TANGEDCO for their various requests and there is an order of stay, injunction etc., granted by the Court restraining the TANGEDCO from collecting such outstanding dues, the consumers should not be insisted to remit such outstanding dues covered by stay as a condition precedent to process/allow their requests. Such request of the consumers shall be processed and thereafter a report is to be sent duly stating the full and complete details of the case such as brief history of case, actual date of filing of a counter affidavit together with vacate stay/injunction petition, number assigned by the Registry of the Court on such vacate stay/injunction petition and the action taken to list such vacate stay/injunction petition for early hearing in consultation with the Standing Counsel/Government Pleader/Advocate on behalf of the TANGEDCO and subsequent developments that took place in such cases etc., with connected records."

3. In view of the memo issued by the TANGEDCO, the Competent Authority shall initiate all necessary actions by following the procedures as contemplated.

4. With the abovesaid observations, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS-VI)

// True Copy //

Sub Assistant Registrar

Svn



To

1.The Chairman,
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Tatabad,
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+1cc to Mr.K.Seshadri, Advocate Sr.No.5948

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SJ(CO)
RVM(10/02/2022)