

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.07.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.16851 of 2022

GKN Driveline (India) Ltd.,
Rep. by its Managing Director Mr.Sanjay Katyal,
having unit at No.B-13, SIPCOT Industrial Park,
Oragadam Village, Sriperumbudur Taluk,
Kanchipuram District – 603 109.

.. Petitioner

Vs.

- 1.The Chairman cum Managing Director,
Tamil Nadu Generation & Distribution
Corporation Limited (TANGEDCO),
No.144, Anna Salai, Chennai – 600 002.
- 2.The Chief Financial Controller-Revenue,
Tamil Nadu Generation & Distribution
Corporation Limited (TANGEDCO),
NPKRR Maligai, 144, Anna Salai,
Chennai – 600 002.
- 3.Tamil Nadu Electricity Regulatory Commission,
No.19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai – 600 008.
- 4.The Government of Tamil Nadu,
Rep. by its Secretary to Government
Energy Department, Fort St. George,
Chennai – 600 009.

5.The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
Chengalpattu.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, calling for the records of second respondent leading to the issuance of the impugned High Tension Bill [Provisional] for the month of April 2020 in Bill No.9094110677052001 dated 07.05.2020, pertaining to HT Service connection No.099094110677, in violation of scope of Regulation 6(b) of the Supply Code and to quash the same and consequently direct the respondents to adjust the amount already paid for the month April 2020, towards future Bills.

For Petitioner : Mr.J.Srinivasa Mohan

For Respondents : Mr.L. Jai Venkatesh
Standing Counsel [TNEB]

ORDER

The petitioner has challenged the High Tension Bill for the month of April, 2020 dated 07.05.2020 raised against them by the respondent as per regulation 6(b) of the Electricity Supply Code, on account of the fact that there was a total shut down and no industry was functioning or could be operated during April, 2020.

2. Mr.L.Jai Venkatesh, learned standing counsel for TNEB accepts notice on behalf of the respondents. By consent of both parties, this Writ Petition is taken up for final disposal in the admission stage itself.

3. The very same issue raised by the petitioner in this Writ Petition has been considered in a batch of Writ Petitions by learned singles Judges of this Court. One such order is the order dated 14.08.2020 in WP.No.7678 of 2020 batch, wherein, it was held that if the respondents have already recovered any dues from any of the petitioners, the bill shall be reverted and the excess amount should be adjusted towards the future bills. The said order was also followed by another learned single Judge of this Court on 04.04.2022 in WP.No.8205 of 2022.

4. The petitioner claims that he has already paid the High Tension Bill amount for the month of April, 2020 under protest. According to the petitioner, in view of the orders passed by this Court, excess amount paid by the petitioner has to be adjusted in the future bills.

5. Learned standing counsel for the respondents, on instructions, has also not raised any objections if similar directions are issued by this Court, as was done in the orders stated supra.

6. For the forgoing reasons, this Court directs the respondents to adjust the excess amount if any, paid by the petitioner in respect of High Tension Bill for the month of April, 2020 in the future bills to be raised against the petitioner.

7. With the aforesaid directions, this Writ Petition is disposed of. No costs.

04.07.2022
(½)

Speaking/Non-speaking order
Index: Yes/No

Sni

To

- 1.The Chairman cum Managing Director,
Tamil Nadu Generation & Distribution
Corporation Limited (TANGEDCO),
No.144, Anna Salai, Chennai – 600 002.
- 2.The Chief Financial Controller-Revenue,
Tamil Nadu Generation & Distribution
Corporation Limited (TANGEDCO),
NPKRR Maligai, 144, Anna Salai,
Chennai – 600 002.
- 3.Tamil Nadu Electricity Regulatory Commission,
No.19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai – 600 008.
- 4.The Government of Tamil Nadu,
Rep. by its Secretary to Government
Energy Department, Fort St. George,
Chennai – 600 009.
- 5.The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
Chengalpattu.

W.P.No.16851 of 2022

ABDUL QUDDHOSE,J.

Sni

W.P.No.16851 of 2022

04.07.2022