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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.NO.123 OF 2017

AND

W.M.P.NOS.117, 118 & 119 OF 2017

M/s.GHCL Limited,
(Unit: Sree Meenakshi Mills)
Rep. by its General Manager (Finance),
Paravai, Samayanallur,
Madurai District.

... Petitioner

.Vs.

1. The TANGEDCO,
Rep. by its Chairman,
No.144, Anna Salai,
Chennai - 600 002.
2. The Chief Financial Controller/Revenue,
TANGEDCO, No.144, Anna Salai,
Chennai - 600 002.
3. The Superintending Engineer,
Madurai Electricity Distribution Circle,
Madurai.
4. The Central Electricity Authority,
Rep. by its Chairperson,
6th Floor, Sewa Bhavan,
RK Puram,
New Delhi - 110 066.
5. The Tamil Nadu Electricity Regulatory Commission,
Rep. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
Egmore, Chennai - 600 008.

... Respondents

PRAYER:-

Writ Petition has been filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus



calling for the records of the second respondent circular bearing No.CFC/FC/REV/AAO/Ht/D.673/2014, dated 05.11.2014 in so far as it concerns the petitioner and the consequential demand notice bearing Lr.No.SE/MEDC/MDU/DFC/HT/AS/F.Hormo./D/No.335/2016, dated 12.12.2016, issued by the third respondent and quash the same as illegal, arbitrary and ultra vires the provisions of the Central Electricity Authority (Technical Standard for Connectivity to Grid) Regulations, 2007 and consequently forbear the 2nd and 3rd respondent, their men, officers, agents, servants, representatives and/or anyone claiming through or under them and/or or any other person from in any manner levying, demanding and/or collecting harmonic compensation charges for harmonics dumping from the petitioner for their HT SC.No.194 either through the monthly High Tension Bills.

For Petitioner : Mr.R.Parthasarathy

For Respondents : Mr.Abul Kalam
1 to 3 Standing Counsel
For TANGEDCO

O R D E R

This writ petition has been filed challenging the circular dated 05.11.2014, issued by the second respondent and the consequential demand notice issued by the third respondent dated 12.12.2016. The demand notice has been issued on the ground that the petitioner has allegedly violated installation of harmonics filter norms.

2. Mr.R.Parthasarathy, learned counsel appearing for the petitioner submitted that immediately after receipt of the notice, the petitioner has installed the harmonic filter and now there is no violation and the respondents have also inspected the same and they are also satisfied with the installation of harmonic filter. Despite that, demand notice has been issued. The learned counsel for the petitioner has also relied upon an similar order passed by this Court in Paramount Textile Mills (P) Ltd., vs The TANGEDCO in W.P.No.44274 of 2016, dated 23.12.2016.

3. Mr.Abul Kalam, learned standing counsel for TANGEDCO on instructions submitted that the petitioner has installed the harmonic filter within time and demand notice has been issued inadvertently.

4. Considering the above circumstances, as there is no violation as alleged by the respondents and the impugned demand



notice is liable to be set aside and accordingly set aside.
The writ petition is allowed. Consequently, the connected
miscellaneous petitions are closed. No costs.

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Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman,
TANGEDCO,
No.144, Anna Salai,
Chennai - 600 002.
2. The Chief Financial Controller/Revenue,
TANGEDCO, No.144, Anna Salai,
Chennai - 600 002.
3. The Superintending Engineer,
Madurai Electricity Distribution Circle,
Madurai.
4. The Central Electricity Authority,
Rep. by its Chairperson,
6th Floor, Sewa Bhavan,
RK Puram, New Delhi - 110 066.
5. The Secretary,
The Tamil Nadu Electricity Regulatory Commission,
19-A, Rukmini Lakshmipathy Salai,
Egmore, Chennai - 600 008.

+1cc to Mr.R.Parthasarathy, Advocate, S.R.No.23550

W.P.NO.123 OF 2017 AND
W.M.P.NOS.117, 118 & 119 OF 2017

SSN(CO)
PBS/20/05/2022