



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2022

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No. 1466 of 2017

and

WMP Nos.1375 & 1376 of 2017

Texessories Manufacturers,
HTSC No.341,
No.43-A, K.R.Puram Road,
Ganapathy Post,
Coimbatore repd.,
by its Authorised signatory
V.Balakrishnan

...Petitioner

Vs

- 1.The TANGEDCO,
rep by its Chairman,
No.144, Anna Salai,
Chennai - 600 002.
- 2.The Superintending Engineer,
TANGEDCO,
Coimbatore Electricity Distribution Circle/Metro,
Coimbatore.
- 3.The Accounts Officer/ Revenue,
TANGEDCO,
Coimbatore Electricity Distribution Circle/Metro,
Coimbatore.
- 4.Central Electricity Authority,
rep. by its Chairperson,
6th floor, Sewa Bhawan,
R.K.Puram, New Delhi 110 066
- 5.Tamil Nadu Electricity Regulatory Commission,
rep. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
Marshall's Road, Egmore,
Chennai 600 008.

...Respondents



The Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of certiorarified Mandamus to call for the records of the 3rd respondent impugned CC bill No.341 dated 01.01.2017 in so far as it relates to the levy of Harmonic Compensation charges in Serial No.14 (Add/Less Adjustment charges) quash the same as illegal, arbitrary, without the authority of law and against the provisions of the CEA (Technical Standards for Connectivity to the Grid) Regulations, 2007, and consequently forbearing the 1 to 4 respondents from in any manner levying, demanding and/or collecting surcharges for not providing the harmonic controls from the petitioner who is connected with 11 kv supply line and direct the 4th respondent to give refund/adjustment of the amount already illegally collected from the petitioner.

For petitioner ... Mr. R.S. Pandiyaraj

For respondents ... Mr. L. Jaivenkatesh
Standing Counsel

ORDER

This writ petition has been filed challenging the demand made by the respondents TANGEDCO demanding Harmonic Compensation Charges on the ground that they are not provided adequate harmonic suppression equipment to avoid dumping of harmonics beyond the limits as specified by the Central Electricity Authority Regulations.

2. The learned counsel for the petitioner submitted that the harmonic compensation charges is only applicable for the consumer, who have connected to the grid at voltage level of 33 kv and above. So far as this petitioner company is concerned, admittedly, they are connected to 11 kv. Therefore, the Central Electricity Authority regulation is not applicable to the petitioner company.

3. The learned counsel further submitted that the above issue has already been considered by this Court in batch of writ petitions in W.P.No.25 of 2015, etc. batch, dated 05.06.2017, whereby, the said demand has been set aside in respect of consumers, who have connected less than 33 kv. The learned counsel also produced the copy of the said order passed by this Court.

4. Mr. L. Jaivenkatesh, learned Standing Counsel, appearing for the Tamil Nadu Electricity Board also admitted that the petitioner is connected to less than 33 kv and that harmonic compensation charges will not be applicable to them.



5. Considering the above submissions, and in view of the order passed by this Court in W.P.Nos.25 of 2015,etc., batch, this writ petition is allowed and the impugned demand is quashed. No costs. consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

mrp

To

- 1.The Chairman
TANGEDCO,
No.144, Anna Salai,
Chennai - 600 002.
- 2.The Superintending Engineer,
TANGEDCO,
Coimbatore Electricity Distribution Circle/Metro,
Coimbatore.
- 3.The Accounts Officer/ Revenue,
TANGEDCO,
Coimbatore Electricity Distribution Circle/Metro,
Coimbatore.
- 4.The Chairperson
Central Electricity Authority,
6th floor, Sewa Bhawan,
R.K.Puram, New Delhi 110 066
- 5.The Secretary,
Tamil Nadu Electricity Regulatory Commission,
19-A, Rukmini Lakshmipathy Salai,
Marshall's Road, Egmore,
Chennai 600 008.

+1cc to Mr.R.S.Pandiyaraj, Advocate SR. No.9149

W.P. No.1466 of 2017

GPL (CO)
PR (21/03/2022)