



W.P.(MD).No.14503 of 2012

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.07.2012**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.14503 of 2012

and

M.P.(MD)No.1 of 2012

Dollar Industries Limited,
HT SC No.330,
V.Pudukottai Village, Minukkampatti,
Vedasandur – 624 711,
Dindigul District,
represented by its Factory Manager
D.Prabakaran

... Petitioner

Vs.

1. The Tamil Nadu Electricity Regulatory
Commission,
represented by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road)
Egmore, Chennai – 600 008.
2. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai - 600 002.



W.P.(MD).No.14503 of 2012

3. The Chief Engineer, NCES,
144, Annal Salai,
Chennai 600 002.

4. The Superintending Engineer,
Madurai Electricity
Distribution Circle,
TANGEDCO, TNEB,
Madurai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the fourth respondent in his Bill No.330 dated 31.10.2012 in so far as it relates to levy of penalty in the form of excess demand charges of Rs.3,77,168.40/- in Serial No.13(f) and quash the same as illegal, arbitrary, without the authority of law, forbear the fourth respondent from taking energy adjusted instead of energy available to the credit of the petitioner for the purpose of equivalent demand calculation till the power cut, load shedding are in force and consequently direct the fourth respondent to give refund/adjustment of the amount already collected from the petitioner.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.S.Deenadhayalan



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W.P.(MD).No.14503 of 2012

ORDER

The present writ petition has been filed challenging correctness of the impugned bill raised by the respondent Board.

2. A similar issue was questioned by 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 an 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 the interim order, dated, 24.07.2019 has been passed by the Appellate Tribunal for Electricity in favour of the Tamil Nadu Spinning Mills Association, this writ petition is disposed of with an observation that no coercive steps shall be taken against the petitioner till the orders are passed by the respondents. No costs.

3/5



W.P.(MD).No.14503 of 2012

Consequently, connected Miscellaneous Petition is closed.

WEB COPY

05.07.2012

Index : Yes / No
Internet : Yes / No
jbr

To

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4/5



WEB COPY



W.P.(MD).No.14503 of 2012

R.VIJAYAKUMAR ,J.

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W.P.(MD).No.14503 of 2012

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