



WEB COPY



W.P.No.956 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2023

CORAM:
THE HONOURABLE MR. JUSTICE **M.DHANDAPANI**

W.P.No.956 of 2019
and
W.M.P.Nos.1062 & 1063 of 2019

Saint Gobain India Private Limited,
HTSC NO.499,
A-1, SIPCOT Industrial Area,
Sriperumbudur, Kanchipuram District,
Repd. its Team Leader-Finance & Company Secretary
L.Venkateswaran ...Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Energy Department,
Fort St. George, Chennai-600 009.
2. The Chairman and Managing Director,
TANGEDCO Ltd.,
144, Anna Salai, Chennai-600 002.
3. The Accounts Officer / Revenue
The Superintending Engineer Office,
TANGEDCO,
Chengalpatu Electricity Distribution Circle,
Chengalpattu. ...Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying Writ of Mandamus, forbearing the 2nd and 3rd Respondents, from
demanding and collecting the tax on maximum demand charges from the
petitioner in H.T.Sc.No.499, as per the orders of the Hon'ble Supreme



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Court of India, New Delhi on 31.08.2012 in SLP(c) No.24993 of 2012 and 25522 of 2012 etc. Batch in M/s.Sri Krishna Alloys & Etc. Vs. Union of India and others etc.

For Petitioner : Mr. R.S.Pandiyaraj

For Respondents : Mr.L. Jaivenkatesh

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus to forbear the 2nd and 3rd respondents from demanding and collecting the tax on maximum demand charges from the petitioner in H.T.Sc.No.499, as per the order of the Hon'ble Supreme Court of India, New Delhi on 31.08.2012 in SLP(c) No.24933 of 2012 and 25522 of 2012 etc. batch in M/s.Sri Krishna Alloys & Etc. Vs.Union of India and others etc.

2. The issue raised in the present petition is being settled against the petitioner in terms of the Division Bench Judgement in W.P.Nos.159 of 2008 and etc., (batch) decided on 15.06.2012 and thereafter, the Hon'ble Supreme Court having entertained the Special Leave Appeals against the said judgement bearing Special Leave Appeal (Civil) Nos.24685 to 24719 of 2012 dated 31.08.2012, with an interim direction



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restraining the respondents therein from taking any coercive steps for disconnecting the supply of electricity to the premises of the petitioner therein, subject to that petitioner paying all the charges/dues except tax calculated on the basis of maximum demand, it is agreed that the present writ petition be disposed of in the terms aforesaid, with the agreement that the ultimate fate of the matter before the Hon'ble Supreme Court would also govern the present petitioner and the same interim order would continue to enure the benefit of the writ petitioner during the pendency of the Special Leave Appeals.

3. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

07.03.2023

skt

Neutral Citation : Yes/ No

Index : Yes/ No

To:

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
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2. The Chairman and Managing Director,



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TANGEDCO Ltd.,
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3. The Accounts Officer / Revenue
The Superintending Engineer Office,
TANGEDCO,
Chengalpatu Electricity Distribution Circle,
Chengalpattu.

M.DHANDAPANI, J.

skt

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