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W.P.No.10110 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 31.03.2023**

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

**W.P.No.10110 of 2023 and**  
**W.M.P.No.10132 of 2023**

S.V.Sivalinga Nadar & Sons  
rep. by its Partner S.V.S.Velkumar,  
No.866 (Old No.444),  
Pandit Jawarharlal Nehru Road,  
Villupuram 605 008.

... Petitioner

Vs.

1. Tamil Nadu Electricity Regulatory,  
Commission repd. 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.
3. Director Finance  
Tamil Nadu Generation and Distribution  
Corporation Limited, 144, Anna Salai,  
Chennai 600 002.
4. The Superintending Engineer,  
TANGEDCO,  
Villupuram Electricity Distribution Circle,  
Villupuram.



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5. The Superintending Engineer,  
TANGEDCO,  
Thiruvannamalai Electricity Distribution Circle,  
Thiruvannamalai.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner's HTSC No.029094160018 until the respondent makes payment of the outstanding dues of Rs.11,62,740/- including interest (for the period from August 2018 to March 2022) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

For Petitioner : Mr.V.S.Sivasundaram  
For Respondents : Mr.V.Venkateshaya

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### **ORDER**

This Writ Petition has been filed seeking for a Writ of Mandamus, to forbear the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner's HTSC No.029094160018 until the respondent makes payment of the outstanding dues of Rs.11,62,740/- including interest (for the period from August 2018 to March 2022) payable to the petitioner or give adjustment in



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the current consumption charges payable by the petitioner till the entire amount is adjusted.

2. It is the case of the petitioner that he is one of the edible oil manufacturers in the state having refinery factory at Villupuram and having High Tension Electricity Supply under the fourth respondent. It is alleged that the petitioner is regularly paying the CC bills raised by the fourth respondent for their industrial consumption and they also own a Solar Power Plant at feasible locations and accordingly, wheeling the solar power to their consumption at their industry coming under the fourth and fifth respondents under captive consumption arrangements in accordance with the Energy Wheeling Agreement (EWA) dated 21.07.2018 executed between the officers of second respondent, in pursuance with the orders in force as issued by the first respondent commission towards the same. Accordingly, the petitioner raised invoices for the encashment of the surplus unutilized solar energy sold to the respondent for the period from August 2018 to March 2022. However, till date no such payment has been made to the petitioner. While so, the petitioner made several representations to the respondents. Since the same was not considered, the present writ petition has been filed seeking the aforesaid



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3. Though very many grounds have been raised in the present writ petition, it would suffice if this Court issues a direction to the respondents to pay the outstanding dues payable to the petitioner within the stipulated time frame that may be fixed by this Court.

4. Learned counsel appearing for the respondents has submitted that the outstanding dues for a sum of Rs.9,64,669/- (Rupees Nine Lakhs Sixty Four Thousand Six Hundred and Sixty Nine Only) will be paid to the petitioner and on receipt of such payment being made, the petitioner may be directed to pay the current consumption charges, demand charges payable by the petitioner to the respondents.

5. Heard learned counsel appearing on either side and perused the materials placed before this Court.

6. In view of the fair submission made by the learned counsel appearing for the respondents, this Court directs the respondents to pay a sum of



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Rs.9,64,669/- to the petitioner within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the petitioner is directed to pay the consumption charges payable to the respondents periodically without any default.

7. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**31.03.2023**

Index : Yes / No

Speaking order / Nonspeaking order

Neutral Citation Case : Yes / No

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**Note: Issue Order copy today i.e.,03.04.2023**

To

1. The Secretary,  
Tamil Nadu Electricity Regulatory,  
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.
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**M.DHANDAPANI, J.**

*rap*

4. The Superintending Engineer,  
TANGEDCO,  
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Villupuram.
5. The Superintending Engineer,  
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Thiruvannamalai.

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