



W.P.Nos.10519, 10524 and 10528 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.10519, 10524 and 10528 of 2023

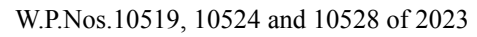
and

W.M.P.Nos.10464, 10465, 10468, 10469, 10471 and 10472 of 2023

Sangeeth Textiles Private Limited,
Represented by its Authorised Signatory S.Saravanan,
H.T.Sc No.039094300136,
SF.No.551, Ganeshapuram Post,
Annur,
Coimbatore - 641 107. ... Petitioner in W.P.No.10519 of 2023

M/s.Palladam Steels Private Limited,
Represented by its Managing Director V.K.Padmanaban,
HTSC No.039094390344,
501/1, Thutharipalayam,
V.Kalipalayam, Palladam - 641 664,
Tirupur District. ... Petitioner in W.P.No.10524 of 2023

M/s.Maharaja Blue Metals,
Represented by its Authorised Signatory P.S.K.Arun,
HTSC No.049094370423,
S.F.No.321/4, Kottampatti, Akkalampatti (Po),
Tiruchencode (Taluk),
Namakkal District. ... Petitioner in W.P.No.10528 of 2023



1. The State of Tamil Nadu,
Represented by its Secretary to Government,
Energy Department,
Fort St.George,
Chennai - 600 009.

... Respondents 1 and 2 in all W.Ps'
3. The Superintending Engineer,
Coimbatore (North) Electricity Distribution Circle,
TANGEDCO,
Coimbatore. ... 3rd Respondent in W.P.No.10519 of 2023
4. The Superintending Engineer,
Palladam Electricity Distribution Circle,
TANGEDCO,
Palladam ... 3rd Respondent in W.P.No.10524 of 2023
5. The Superintending Engineer,
Namakkal Electricity Distribution Circle,
TANGEDCO,
Namakkal ... 3rd Respondent in W.P.No.10528 of 2023



W.P.Nos.10519, 10524 and 10528 of 2023

WEB COPY

COMMON PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, forbearing the respondents 2 and 3, from demanding and collecting the tax on maximum demand charges from the petitioner in H.T.Sc.No.039094300136, H.T.Sc. No.039094390344 and H.T.Sc.No.049094370423 respectively as per the orders of the Hon'ble Supreme 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 and Etc. Vs. Union of India and others etc.

For Petitioners

in all W.Ps'

:

Mr.R.S.Pandiyaraj

For Respondents

:

Mr.E.Veda Bagath Singh

Special Government Pleader for R1

(in all W.Ps')

Mr.L.Jaivenkatesh for R2 and R3

(in W.P.Nos.10519&10524 of 2023)

Mr.S.Kalaiselvan for R2 and R3

(in W.P.No.10528 of 2023)



W.P.Nos.10519, 10524 and 10528 of 2023

COMMON ORDER

WEB COPY

Writ Petitions are filed seeking a direction to forbear the respondents 2 and 3 from demanding and collecting tax on maximum demand charges from the Petitioners in H.T.Sc.No.039094300136, H.T.Sc. No.039094390344 and H.T.Sc.No.049094370423 respectively, as per the order dated 31.08.2012 passed by the Apex Court in S.L.P.(C) No.24993 of 2012 and 25522 of 2012, etc. batch in the case of M/s.Sri Krishna Alloys and Etc. vs. Union of India.

2. As the issue involved in all Writ Petitions is one and the same, cases are taken up for disposal by a common order.

3. When these matters are taken up for hearing, learned counsel for the Petitioners submitted that, the issue involved in the present Writ Petitions is squarely covered by the order dated 25.07.2019 passed by this Court in W.P.No.21902 of 2019. For better appreciation, relevant portion of the said order is extracted hereunder:



WEB COPY



W.P.Nos.10519, 10524 and 10528 of 2023

“?3. The issue raised in the present Petition is being settled against the Petitioner in terms of the Division Bench judgment 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 judgment bearing Special Leave (Civil) Nos.24685 to 24719 of 2012, dated 31.08.2012, with an interim direction 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 for the benefit of the Writ Petitioner during the pendency of the Special Leave Appeals.?”



W.P.Nos.10519, 10524 and 10528 of 2023

WEB COPY

4. As the said interim order passed by the Apex Court governs the Writ Petitioners herein, the above Writ Petitions are disposed of in terms of the said order passed by the Apex Court. No costs. Consequently, connected Miscellaneous Petitions are closed.

05.04.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



W.P.Nos.10519, 10524 and 10528 of 2023

WEB COPY

To

1. The Secretary to Government,
The State of Tamil Nadu,
Energy Department,
Fort St.George,
Chennai - 600 009.
2. The Chairman and Managing Director,
TANGEDCO Limited,
144, Anna Salai,
Chennai - 600 002.
3. The Superintending Engineer,
Coimbatore (North) Electricity Distribution Circle,
TANGEDCO,
Coimbatore.
4. The Superintending Engineer,
Palladam Electricity Distribution Circle,
TANGEDCO,
Palladam
5. The Superintending Engineer,
Namakkal Electricity Distribution Circle,
TANGEDCO,
Namakkal



WEB COPY



W.P.Nos.10519, 10524 and 10528 of 2023

M.DHANDAPANI,J.

vji

**W.P.No.10519, 10524 and 10528 of 2023
and
W.M.P.Nos.10464, 10465, 10468, 10469,
10471 and 10472 of 2023**

05.04.2023