



WEB COPY



W.P.Nos.11678, 11682 & 11687 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.11678, 11682 & 11687 of 2023

and

W.M.P.Nos.11573, 11574 & 11578 of 2023

W.P.No.11678 of 2023

Shri Santhosh Meenakshi Textiles P Ltd.,
12/5, Thekkalur (NH.47),
Avinashi Taluk, Tirupur,
repd. by its
Authorized Signatory
Chairman & Managing Director
C.Udhayasankar

... Petitioner

Vs.

1. Tamil Nadu Electricity Regulatory
Commission, repd. by its Secretary,
19-A, Rukmini Lakshmipathi 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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3. Director Finance,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai – 600 002.

4. The Superintending Engineer,
TANGEDCO,
Theni Electricity Distribution Circle,
Theni.

5. The Superintending Engineer,
TANGEDCO,
Coimbatore Electricity Distribution Circle South,
Coimbatore.

... Respondents

W.P.No.11682 of 2023

SRG Apparels Limited,
No.10B, Padmavathipuram,
Tiruppur,
Rep. by its Authorized Signatory,
K.Meganathan

... Petitioner

Vs.

1. Tamil Nadu Electricity Regulatory
Commission, repd. by its Secretary,
19-A, Rukmini Lakshmipathi 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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3. Director Finance,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai – 600 002.

4. The Superintending Engineer,
TANGEDCO,
Tirupur Electricity Distribution Circle,
Tirupur.

5. The Superintending Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle South,
Tirunelveli.

... Respondents

W.P.No.11687 of 2023

VKSM Cotton Mills P Ltd.,
HTSC No.039094350229,
SF No.2/2, Pappampatti Main Road,
Nadupalayam, Peedampalli Post,
Coimbatore – 641 016,
Rep. by its Director,
S.Parthiban

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Corporation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai – 600 002.

2. Chief Engineer,
Non-Conventional Energy Sources,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai – 600 002.



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3. The Superintending Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.

4. The Superintending Engineer,
TANGEDCO,
Coimbatore/Metro Electricity Distribution Circle,
Coimbatore.

... Respondents

Prayer in W.P.No.11678 of 2023: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondent and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner until the respondent makes payment of the outstanding dues of Rs.816663/- (for the year of 2019-2020) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

Prayer in W.P.No.11682 of 2023: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondent and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner until the respondent makes payment of the outstanding dues of Rs.7,27,586/- (for the year of 2019-2020) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.



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Prayer in W.P.No.11687 of 2023: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondent and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner's HTSC No.039094350229 until the respondent makes payment of the outstanding dues of Rs.5,57,575/- (for the period 31.03.2020 & 31.03.2021) 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.R.S.Pandiyaraj
(in all WPs)

For Respondents : Mr.L.Jai Venkatesh
(in all WPs) Standing Counsel

COMMON ORDER

Since the issue raised in these writ petitions is one and the same, with the consent of the learned counsel appearing for both sides, these writ petitions were heard together and are being disposed of by this common order.

2. When the matters are taken up for hearing today, the learned counsel for the petitioners fairly conceded that the issue in these writ



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petitions have already been decided by this Court in W.P.Nos.6776 of 2018, etc., batch of cases and that the same order may be passed in the above writ petitions as well.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. In view of the fair stand taken by the learned counsel for the parties, in an identical circumstances, the learned Single Judge of this Court in W.P.Nos.6776 of 2018, etc., batch of cases, by order dated 28.10.2021, in the case of ***M/s.Rajaguru Spinning Mills P. Ltd., Vs. The Tamil Nadu Electricity Regulatory Commission & 3 Ors.***, has held as under :

“11. In view of the above, all these Writ Petitions are Disposed of with the following directions:-

(a) In all those cases where the TANGEDCO has acted upon the interim orders passed by this Court and the entire outstanding amounts due and payable has been adjusted, those writ petitions will be rendered infructuous since the grievance of those petitioners stands redressed;



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(b) In those cases where the TANGEDCO is in the process of adjusting the outstanding amount due, such adjustment shall be continued till the entire outstanding amount is adjusted towards the current consumption charges / open access charges payable by the respective petitioners and

(c) The TANGEDCO shall not take any coercive steps to disconnect the electricity connection to the petitioners until the outstanding amounts due and payable is completely adjusted towards the current consumption charges/ open access charges payable by the petitioners.”

5. Following the ratio laid down in the said decision, this Court disposed of the Writ Petition in W.P.Nos.27559 and 27564 of 2021 by an order dated 22.12.2021. Hence, in the aforesaid terms, these Writ Petitions are also disposed of. No Costs. Consequently, the connected miscellaneous petitions are closed.

17.04.2023

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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(Marshall's Road),
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2. The Chairman,
Tamil Nadu Generation and Distribution
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Coimbatore Electricity Distribution Circle South,
Coimbatore.
6. The Superintending Engineer,
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