



W.P.No.12228 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.12228 of 2023

and

W.M.P.No.12074 of 2023

M/s.Bhuvaneshwari Cotspin India Private Limited,
S.F.No.839, 840 and 846,
Tirupur to Kangayam Main Road,
Perumalmalai, Arasampalayam (po), Kangayam,
Tirupur by its Authorized Signatory
M.Balamurugan

... 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.
- 3.Director Finance,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai – 600 002.



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

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

... Respondents

Prayer : 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.039094390405 & 039094390492 until the respondent makes payment of the outstanding dues of Rs.50,77,057/- (for the period from November/2022 to Feb/2023) 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.Purushothaman
for M/s.R.S.Pandiyaraj

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to forbear the respondent and their men, agents from collecting current



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consumption charges, demand charges and any arrears from the petitioner's HTSC No.039094390405 & 039094390492 until the respondent makes payment of the outstanding dues of Rs.50,77,057/- (for the period from November/2022 to Feb/2023) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

2. When the matter is taken up for hearing today, the learned counsel for the petitioner fairly conceded that the issue in the above writ petition has 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 petition 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



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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;

(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 Petitions in W.P.Nos.27559 and 27564 of 2021 by



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an order dated 22.12.2021. Hence, in the aforesaid terms, this Writ Petition is also disposed of. No Costs. Consequently, the connected miscellaneous petition is closed.

20.04.2023

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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To

1.The Secretary,
Tamil Nadu Electricity Regulatory Commission,
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(Marshall's Road),
Egmore, Chennai – 600 008.

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

3.The Director Finance,
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4.The Superintending Engineer,
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam.



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M.DHANDAPANI, J.

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5.The Superintending Engineer,
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