



WEB COPY



W.P. No.12829 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2023

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No.12829 of 2018

and

W.M.P. No.15067 of 2018

M/s.Laxmi Rolling & Strips Pvt. Ltd.,
Rep. by its Manager
Mr.H. Ramesh

...Petitioner

vs.

1. The Chairman and Managing Director,
Tamil Nadu Generation and
Distribution Corporation
(TANGEDCO),
144, Anna Salai,
Chennai - 600 002.

2. The Superintending Engineer,
Krishnagiri Electricity Distribution Circle,
TANGEDCO,
Krishnagiri.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Bill No.322, dated 08.05.2018 issued by the 2nd respondent demanding low power factor compensation charges of Rs.11,58,188.22 in Item No.12(d) and quash the same as illegal and arbitrary and against tariff orders and consequently direct the 2nd



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respondent to pass orders revising the compensation charges for low power factor as contemplated under tariff order dated 11.08.2017.

For petitioner : Mr. K.Seshadri
For respondents : Mr. L.Jaivenkatesh

ORDER

This writ petition has been filed challenging the demand raised by the 2nd respondent in Bill No.322, dated 08.05.2018 in Item No.12(d) as compensation for lower Power Factor and for consequential direction to the 2nd respondent to revise the compensation charges for low power factor as contemplated under tariff order dated 11.08.2017.

2. It is stated that their Industry is involved in the business of manufacturing Steel Rerolling rods having High Tension Service Connection No.322 and thereby, their sanction demand is 9110 K.V.A. As their industry is a power intensive industry, for which electricity is required for round the clock. It is the case of the petitioner that requisite quantity of power have not been supplied by the respondents/Board. That being so, they have entered into Power Purchase Agreement with one group viz., Captive Generator for the supply of power through Open access from them with effect from 01.04.2017, after getting No Objection Certificate from the 2nd respondent. When things stood thus, the 2nd respondent claimed a sum of Rs.11,58,188.22 towards Compensation



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charges for lower Power Factor, in item 12(d) of Bill No.322, dated 08.05.2018. It is their contention that as per the Tariff order, Low Power Factor Compensation can be calculated on the current consumption charges alone, by excluding the demand charges, whereas the 2nd respondent claimed huge compensation by issuing the impugned order, which is arbitrary and illegal. Aggrieved by the same, the petitioner has forwarded a letter to the 2nd respondent on 14.05.2018, which has not been responded till date. Hence, he filed this writ petition with the aforesaid prayer.

3. Though very many grounds have been raised in this Writ Petition, the learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 14.05.2018 and pass orders on merits within a particular time frame to be fixed by this Court.

4. In view of the submissions made by the learned counsel for the petitioner, this Court, without expressing any opinion on the merits of the case directs the respondents to consider the representation of the petitioner dated 14.05.2018 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of



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receipt of a copy of this order, after providing an opportunity to the petitioner.

5. With the aforesaid directions, this writ petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

15.03.2023

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2

To
1. The Chairman and Managing Director,
Tamil Nadu Generation and
Distribution Corporation
(TANGEDCO),
144, Anna Salai,
Chennai - 600 002.

2. The Superintending Engineer,
Krishnagiri Electricity Distribution Circle,
TANGEDCO,
Krishnagiri.
3. Tahsildar,
Vaniyambadi Taluk,
Vaniyambadi – 635 751.
Vellore District.

M.DHANDAPANI, J.



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