



W.P.No.12014 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.12014 of 2020

And

W.M.P.Nos.14753 and 14755 of 2020

M/s.Sree Rengaraj Ispat Industries (P) Ltd.,
Repd. By its Authorized Signatory
S.Shyam Sundar

... Petitioner

Vs.

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

2.The Chairman and Managing Director,
TANGEDCO Ltd.,
144, Anna Salai,
Chennai – 600 002.

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

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus forbearing the 2nd and 3rd respondents,



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from demanding and collecting the tax on maximum demand charges from the petitioner in H.T.Sc.No.379, 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 Petitioner : Mr.R.S.Pandiyaraj
For Respondents : Mr.I.Syed Sibghatulla

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus forbearing the respondents 2 and 3, from demanding and collecting tax on maximum demand charges from the petitioner in H.T.Sc.No.379, 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.

2.When the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that, the issue involved in the present writ petition is squarely covered by the order dated



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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:

"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."



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3. As the said interim order passed by the Hon'ble Apex Court governs the writ petitioner herein, the above writ petition is disposed of in terms of the said order passed by the Apex Court. No costs. Consequently, connected miscellaneous petitions are closed.

06.06.2023

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

To

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Chennai – 600 009.
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