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W.P.Nos.13777 of 2023 and etc., batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.13777, 13804 and 13807 of 2023

And

W.M.P.Nos.13450, 13470 & 13474 of 2023

W.P.No.13777 of 2023:

Lishanth Pet Industries,
SF. No.47/4B, SS. Nagar,
Pappiaickenpatty, Karungalpalayam Post,
Namakkal, Rep. By its
Authorised Signatory,
S.Sakthi.

... Petitioner

Vs.

- 1.Tamil Nadu Electricity Regulatory Commission
rep. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road) Egmore,
Chennai-8.
2. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai – 600 002.
- 3.The Director Finance
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai – 600 002.



W.P.Nos.13777 of 2023 and etc., batch

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

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

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner until the respondent make payment of the outstanding dues of Rs.10,09,436/-(for the period from January/2022 to July 2022 payable to the petitioner or give adjustment in the current consumption charges in HTSC No.049094360085 payable by the petitioner till the entire amount is adjusted.

W.P.No.13804 of 2023:

M/s.Abimithra Spinning Mills Pvt. Ltd.,
Kottaipalayam Post,
Vaiyampalayam Via,
Coimbatore,
Rep. By its Authorised Signatory Karthikeyan K.

... Petitioner

Vs.

1.Tamil Nadu Electricity Regulatory Commission
rep. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road) Egmore,
Chennai-8.



W.P.Nos.13777 of 2023 and etc., batch

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2. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai – 600 002.
3. The Director Finance
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai – 600 002.
4. The Superintending Engineer
TANGEDCO,
Coimbatore North Electricity Distribution Circle,
Coimbatore.
4. The Superintending Engineer
TANGEDCO,
Coimbatore South Electricity Distribution Circle,
Coimbatore.
5. The Superintending Engineer,
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner until the respondent make payment of the outstanding dues of Rs.17,43,137/-(for the year of 2020-2021) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.



W.P.Nos.13777 of 2023 and etc., batch

W.P.No.13807 of 2023:

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M/s.Sree Vijayalakshmi Textiles,
West Sambala Thottam,
Kannampalayam,
Kalapatty (West)
Coimbatore North,
Rep. By its Authorised Signatory Karthikeyan K.

... Petitioner

Vs.

1.Tamil Nadu Electricity Regulatory Commission
rep. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road) Egmore,
Chennai-8.

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

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

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

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

... Respondents



W.P.Nos.13777 of 2023 and etc., batch

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner until the respondent make payment of the outstanding dues of Rs.2,49,103/-(for the year 2020-2021) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

For Petitioners : Mr.S.Lakshmipathy
(in all the petitions)

For Respondents : Mr.L.Jaivenkatesh, Standing Counsel
(In all the petitions)

COMMON ORDER

When the matter was taken up for hearing, the learned counsel appearing for the petitioner fairly conceded that the issue has already been decided by the learned Single Judge of this Court in **W.P.Nos.6776 of 2020 etc., batch** on 28.10.2021. Therefore the same order may be passed in this petition as well.

2.In view of the fair stand taken by the learned counsel for the parties, the learned Single Judge of this Court in **W.P.Nos.6776 of 2020 etc., batch (M/s.Rajaguru Spinning Mills P. Ltd., Vs. The Tamil Nadu Electricity Regulatory Commission)** dated



W.P.Nos.13777 of 2023 and etc., batch

28.10.2021, in identical circumstances held as under:-

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"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."



W.P.Nos.13777 of 2023 and etc., batch

3.In view of the above, nothing survives for adjudication in these matters. Accordingly, the writ petitions are disposed of in the aforesaid terms. No costs. Consequently, the connected miscellaneous petitions are closed.

28.04.2023

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

1.Tamil Nadu Electricity Regulatory Commission
rep. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road) Egmore,
Chennai-8.

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

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



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W.P.Nos.13777 of 2023 and etc., batch

M.DHANDAPANI,J.

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

**W.P.Nos.13777, 13804
and 13807 of 2023**

28.04.2023