



W.P.No.18292 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No 18292 of 2023

and

W.M.P.No.17494 of 2023

M/s.Eveready Spinning Mills Private Limited,
Rep. by its Managing Director, S.Saravana Kumar,
NH-7, Kottaiyur Agaram Village,
Thadicombu, Dindugal 624 709.

... Petitioner

Vs.

1. The Chairman,
TANGEDCO,
No.144, Anna Salai,
Chennai – 600 002.
2. The Chief Engineer, NCES,
TANGEDCO,
No.144, Anna Salai,
Chennai – 600 002.
3. The Director – Finance,
TANGEDCO,
No.144, Anna Salai, Chennai – 600 002.
4. The Superintending Engineer,
TANGEDCO,
Dindugal EDC, Dindugal.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents from demanding and collecting the consumption charges of Rs.9,02,93,013/- be adjusted in HTSC Nos.059094500104, 059094500177, 059094500282, 059094500347, being the sum of the cost of the third party sale of electricity generation, after the realisation of migration fee.

For Petitioner : Mr.G.Maniprabhu

For Respondents : Mr.S.Madhusudanan

ORDER

This writ petition is filed seeking to forbear the respondents from demanding and collecting the consumption charges of Rs.9,02,93,013/- be adjusted in HTSC Nos.059094500104, 059094500177, 059094500282, 059094500347, being the sum of the cost of the third party sale of electricity generation, after the realisation of migration fee.

2. When the matter is taken up for hearing, learned counsel for the petitioner fairly conceded that, the issue in question has already been decided by this Court in W.P.No.6776 of 2018, etc., batch of cases and that, a similar order may be passed in the above Writ Petition, as well.



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3. In an identical circumstance, in W.P.No.6776 of 2018, etc., and batch vide order dated 28.10.2021, this Court 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 to be 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 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."



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4. Following the ratio laid down in the said decision, this Court disposed of the Writ Petition in W.P.No.5218 of 2020 by an order dated 18.11.2021. In fine, this Writ Petition is also disposed of in the aforesaid terms. No costs. Consequently, connected Miscellaneous Petition is closed.

23.06.2023

(rap)

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

To

1. The Chairman,
TANGEDCO,
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Chennai – 600 002.
2. The Chief Engineer, NCES,
TANGEDCO,
No.144, Anna Salai,
Chennai – 600 002.
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4.The Superintending Engineer,
TANGEDCO,
Dindugal EDC, Dindugal.



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M.DHANDAPANI, J.

(rap)

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