



W.P.No.19547 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.19547 of 2023

and

W.M.P.No.18820 of 2023

M/s. Eveready Spinning Mills Private Limited,
Rep. by its Managing Director,
S.Saravanakumar,
12, Jothi Theatre Road, Tirupur.

...Petitioner

Vs.

1. The Chairman,
TANGEDCO,
144, Anna Salai, Chennai - 600 002.
2. The Chief Financial Controller,
TANGEDCO,
144, Anna Salai, Chennai - 600 002.
3. The Superintending Engineer,
TANGEDCO, Theni EDC,
Theni.
4. The Superintending Engineer,
TANGEDCO, Dindugal EDC,
Dindigul.

...Respondents



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Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, forbearing the respondents, from demanding and collecting the Consumption Charges, etc., payable by the petitioner on monthly basis until the respondents makes the outstanding dues of Rs.83,49,979/- being the sum of the full payment for the banked energy, less the earlier paid 75% of the value of the banked energy, along with stipulated interest as per the comprehensive Tariff order to be adjusted in HTSC No.059094500347, till the entire amount is adjusted.

For Petitioner : Mr.G.Maniprabhu

For Respondents : Mr.S.Madhusudhanan

ORDER

This Writ Petition has been filed seeking to forbear the respondents from demanding and collecting the Consumption Charges, etc., payable by the petitioner on monthly basis until the respondents make the outstanding dues of Rs.83,49,979/- payable to the petitioner being the sum of the full payment for the banked energy, less the earlier paid 75% of the value of the banked energy, along with stipulated interest as per the comprehensive



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Tariff order to be adjusted in HTSC No.059094500347, till the entire amount is adjusted.

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.

3. In an identical circumstance, in W.P.No.6776 of 2018, etc., batch of cases, this Court has held as under:

“ 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 Petitions 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



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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.”

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, the present Writ Petition is also disposed of in the aforesaid terms. No costs. Consequently, connected Miscellaneous Petition is closed.

30.06.2023

skt

NCC : Yes / No
Index : Yes / No
Speaking Order : Yes / No

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To

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M.DHANDAPANI., J.

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