



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.03.2023

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.19088 of 2018
and WMP.Nos.22464 and 22465 of 2018

M/s.KPG Cottspinn India Pvt. Ltd.,
HTSC NO.734,
S.F.No.369/1A3, Somanur Village,
Sedapalayam, Somanur-641 668
Coimbatore,
Rep. by Authorized Signatory P.Senthilkumar
Vs.

... Petitioner

- 1.The State of Tamil Nadu,
Rep by its Secretary to Government,
Energy Department,
Fort George,
Chennai~600 009.
2. The Chairman and Managing Director,
TANGEDCO Ltd.,
144, Anna Salai, Chennai~600 002.
3. The Superintending Engineer,
Accounts Officer/Revenue,
Coimbatore South Electricity Distribution Circle,
Tangedco, Coimbatore.

... Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus forbearing the 2nd and 3rd respondents from demanding and collecting the tax on maximum demand charges from the petitioner in H.T.Sc.No.734 as per the orders of the Honourable 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 & Etc. Vs.Union of India and others etc.

For Petitioners : Mr.R.A.Pandiyaraj

For Respondent : Mr.E.Veda Bagathsingh
SGP for R1
Mr.Jaivenkatesh, Standing Counsel
RR2 and 3

ORDER

This Writ Petition has been filed forbearing the 2nd and 3rd respondents from demanding and collecting the tax on maximum demand charges from the petitioner in H.T.Sc.No.734 as per the orders of the Honourable 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 & Etc. Vs.Union of India and others etc.

2. The issue raised in the present petition is being settled against the petitioner in terms of the Division Bench Judgement 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 judgement bearing Special Leave Appeal (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 the benefit of the writ petitioner during the pendency of the Special Leave Appeals.

3. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

06.03.2023

Index: Yes/ No

Internet: Yes/No

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M.DHANDAPANI,J.

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To

1. The State of Tamil Nadu,
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