



WEB COPY



W.P.No.18950 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.18950 of 2020

And

W.M.P.No.23511 of 2020

Abimithra Spinning Mill P. Ltd.,
Repd. by its Director
M.Velkumar

... Petitioner

Vs.

- 1.Tamil Nadu Electricity Regulatory Commission
repd. by its Secretary,
4th Floor, SIDCO Corporate Office Building,
Thiru Vi Ka Industrial Estate, Guindy,
Chennai – 600 032.
- 2.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai – 600 002.
- 3.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.



W.P.No.18950 of 2020

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

6.The Superintending Engineer,
TANGEDCO,
Coimbatore South Electricity Distribution Circle,
Coimbatore.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondent and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner until the respondent makes payment of the outstanding dues of Rs.28,97,155/- (for the year of 2015-2017) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

For Petitioner : Ms.M.Mythili
For Respondents : Mr.L.Jaivenkatesh

O R D E R

When the matter was taken up for hearing, the learned counsel appearing for the petitioner fairly conceded that the issue has already



W.P.No.18950 of 2020

WEB COPY

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 28.10.2021, in identical circumstances 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 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*



W.P.No.18950 of 2020

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."*

3.In view of the above, nothing survives for adjudication in this matter. Accordingly, this writ petition is disposed of in the aforesaid terms. No costs. Consequently, the connected miscellaneous petition is closed.

28.03.2023

pri

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



W.P.No.18950 of 2020

WEB COPY

To

1. Tamil Nadu Electricity Regulatory Commission
repd. by its Secretary,
4th Floor, SIDCO Corporate Office Building,
Thiru Vi Ka Industrial Estate, Guindy,
Chennai – 600 032.
2. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai – 600 002.
3. 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.
5. The Superintending Engineer,
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam.
6. The Superintending Engineer,
TANGEDCO,
Coimbatore South Electricity Distribution Circle,
Coimbatore.



WEB COPY



W.P.No.18950 of 2020

M.DHANDAPANI,J.
pri

W.P.No.18950 of 2020
And
W.M.P.No.23511 of 2020

28.03.2023