



W.P.No.4726 of 2017

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.01.2023

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.4726 of 2017

&

W.M.P.Nos.4950 & 4951 of 2017

Sri Vari Papers P Ltd,
Rep by its Managing Directorate
HT Sc No.74
Nagarpalayam
Gobi – 638 452
Gobichettipalayam

... Petitioner

Vs

- 1.The Chairman,
Tamil Nadu Generation and Distribution,
Corporation Limited, 144, Anna Salai,
Chennai 600 002.
- 2.Director of Finance,
Tamil Nadu Generation and Distribution,
Corporation Limited, 144, Anna Salai,
Chennai 600 002.
- 3.The Superintending Engineer,
Gobi EDC (Electricity Distribution Circle)
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Gobichettipalayam 638 452.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorari, calling for the records of the 3rd respondent's Impugned demand Notice bearing Lr No.SE/GEDC/DFC/F/HT 74 DKT/D/No.001/2017 dated 1.2.2017 and quash the same.

For Petitioner : Ms.Simran Srinivasan
For Mr.Rahul Balaji

For Respondents : Mr.I.Syed Sibghatulla
Standing Counsel

ORDER

Heard Ms.Simran Srinivasan, learned counsel for the petitioner and Mr.I.Syed Sibghatulla, learned counsel for the respondents.

2. Both the learned counsel would accede to the position that the challenge to the impugned demand notice dated 01.02.2017 may be decided in line with the order of the Tamil Nadu Electricity Regulatory Commission in I.A.No.736 of 2019 in D.F.R.No.1584 of 2019. In those matters, the Appellate Tribunal for Electricity by order dated 24.07.2019 has passed interim orders to the effect that no coercive steps shall be taken against the appellant in that case being the Tamil Nadu Spinning Mills Association.

3. Since the learned counsel for the petitioner states that the petitioner is not an appellant before the Appellate Tribunal for Electricity, stay is restricted to a period of twelve (12) weeks from today, within which time the petitioner



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will implead itself or file an appeal before the Tamil Nadu Electricity Regulatory Commission to join the batch pending.

4. This Writ petition is disposed and connected miscellaneous petitions are also disposed as above. No costs.

mpl

10.01.2023

Index : Yes / No

Speaking Order/Non-Speaking Order

To

- 1.The Chairman,
Tamil Nadu Generation and Distribution,
Corporation Limited, 144, Anna Salai,
Chennai 600 002.
- 2.Director of Finance,
Tamil Nadu Generation and Distribution,
Corporation Limited, 144, Anna Salai,
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Dr.ANITA SUMANTH, J.

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