



WEB COPY



W.P.No.27335 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.27335 of 2023
and W.M.P.No.26764 of 2023

M/s.M.S.S.Spinnners Pvt Ltd.,
3/89, Udumalpet - Palani Road,
Sukkamanicken Patty, Palani Taluk, Dindigul,
rep. by its Director R.Vasanthakumar.

... Petitioner

Vs.

1.Tamil Nadu Electricity Regulatory,
Commission Repd. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road)
Egmore, Chennai-600 008.

2.The Chairman,
Tamil Nadu Generation and Distribution,
Corporation Limited, 144, Anna Salai,
Chennai-600 002.

3.The Director Finance
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai-600 002.



W.P.No.27335 of 2023

4.The Superintending Engineer,
TANGEDCO,
Dindigul Electricity Distribution Circle,
Dindigul.

5.The Superintending Engineer,
TANGEDCO,
Udumalpet Electricity Distribution Circle,
UDUMALPET.

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, forbearing the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner until the respondents make payment of the outstanding dues of Rs.9,29,445/- (for the year of 2016-17) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

For Petitioner : Mr.S.Lakshmipathy

For R1 to R5 : Mr.S.Mathusudanan
Standing Counsel for TANGEDCO

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.



W.P.No.27335 of 2023

2.The petitioner is a captive generator, and it has sold the surplus electricity it has generated to the TANGEDCO. In this regard, the TANGEDCO owes the petitioner a sum of Rs.9,29,445/- for the years 2016 to 2017.

3.Mr.S.Madhusudanan, the learned Standing Counsel for TANGEDCO takes notice for respondents 1 to 5.

4.There is a claim and a counter claim on either side. Inasmuch as the respondent / TANGEDCO has admitted the purchase of electricity from the petitioner and also a liability of Rs.9,29,445/-, it is only appropriate that the said sum is adjusted against any of its claim against the outstanding dues from its end to the petitioner. Till the accounts on either side is entirely reconciled, the respondent / TANGEDCO is prohibited from taking any coercive steps to realize its dues from the petitioner.

5.This writ petition is disposed of with the above directions. No Costs.



W.P.No.27335 of 2023

Consequently, the connected miscellaneous petition is closed.

WEB COPY

15.09.2023

Anu/vca

Index : Yes / No

Neutral citation : yes/no

To

1.Tamil Nadu Electricity Regulatory,
Commission Repd. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road)
Egmore, Chennai-600 008.

2.The Chairman,
Tamil Nadu Generation and Distribution,
Corporation Limited, 144, Anna Salai,
Chennai-600 002.

3.The Director Finance
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai-600 002.

4.The Superintending Engineer,
TANGEDCO,
Dindigul Electricity Distribution Circle,
Dindigul.

5.The Superintending Engineer,
TANGEDCO,



W.P.No.27335 of 2023

Udumalpet Electricity Distribution Circle,
UDUMALPET.

WEB COPY

N.SESHASAYEE, J.



WEB COPY



W.P.No.27335 of 2023

Anu

W.P.No.27335 of 2023
and W.M.P.No.26764 of 2023

15.09.2023