



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 02.11.2023

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.31451 of 2023

& WMP.No.31070 of 2023

T.M.Muthukumar
Proprietor,
Phoenix,
Having Office at
S.F.No.270, 274 & 277, Avinashi – Mangalam Road,
Karunaipalayam Village, Avinashi 641 654.

... Petitioner

Vs

- 1 Tamil Nadu Electricity Regulatory Commission,
Rep. 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, (TANGEDCO)
144, Anna Salai, Chennai- 600 002.
- 3 The Director – Finance,
Tamil Nadu Generation and Distribution
Corporation Limited, (TANGEDCO)
144, Anna Salai, Chennai- 600 002.



4 The Chief Financial Controller,
Tamil Nadu Generation and Distribution
Corporation Limited, (TANGEDCO)
144, Anna Salai, Chennai – 600 002.

5 The Superintending Engineer,
TANGEDCO,
Tiruppur Electricity Distribution Circle,
Tamil Nadu Electricity Board, Tiruppur 641 603.

6 The Superintending Engineer,
TANGEDCO,
Palladam Electricity Distribution Circle,
Tamil Nadu Electricity Board, Palladam.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents and their men, agents not to collect current consumption charges, demand charges and any arrears from the petitioner until the respondents make payment of the outstanding dues of Rs.4,20,486/- payable to the petitioner along with interest thereon at 1% per month payable from the time such payments became due or to give adjustment in the current consumption charges payable by the petitioner for its consumption end HTSC No.039094380164 (Old HTSC No.164) within the Tirupur EDC Circle till the entire amount is adjusted.

For Petitioner : Mr.B.Madhan Babu
For Respondents : Ms.Keerthana Shenoi
for Mr.L.Jai Venkatesh
Standing Counsel



ORDER

Ms.Keerthana Shenoi, learned counsel appearing on behalf of Mr.L.Jai Venkatesh, learned Standing Counsel accepts notice for the respondents and is armed with instructions to enable final disposal of this matter, even at the stage of admission.

2. The prayer is for a mandamus forbearing the respondents, officials of the Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) from collecting current consumption charges or any further charges till the entirety of the outstanding dues of Rs.4,20,486/- is adjusted as against the consumption charges.

3. Ms.Keerthana Shenoi would acquiesce to the position that the amount of Rs. 4,20,486/- lakhs as quantified by the petitioner is, indeed, arrears due to the petitioner.

4. Incidentally, the amount computed by the petitioner includes interest at the rate of 12% per annum as of 1st August 2023. The decision qua interest is that the applicable rate is admittedly 10% per annum, which Ms.Shenoi would agree will be computed as and when the adjustment happens.

5. Thus, and in light of the aforesaid admission, mandamus is issued forbearing the respondents from collecting the current consumption charges and



directing the respondents to adjust the outstanding dues first as against the charges.

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6. It is seen that similar orders have been passed in identical circumstances in Writ Petitions in W.P.Nos.33072 of 2022 dated 07.12.2022 and W.P.No.1857 of 2023 dated 14.02.2023.

7. In light of the above, this Writ Petition stands allowed. No costs. Connected Miscellaneous Petition is closed.

02.11.2023

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Index : Yes / No

Speaking Order: Yes

Neutral Citation: Yes

To

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DR.ANITA SUMANTH, J.

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