



Cont.P.No.2779 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**Cont.P.No.2779 of 2023 in
W.P.No.18292 of 2023**

M/s.Eveready Spinning Mills Private Limited,
Represented by its Managing Director,
S.Saravanakumar,
NH-7, Kottaiyur Agaram Village,
Thadicombu, Dindugal - 624 709.

... Petitioner

Vs.

S.Anbalagan, B.E.,
The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation,
TANGEDCO, Dindugal EDC,
Dindugal.

... Respondent

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act to initiate contempt proceedings against the respondent and punish him for the willful disobedience of the order of this Court in W.P.No.18292 of 2023 dated 23.06.2023.

For Petitioner : Mr.G.Mani Prabhu

For Respondent : Mr.Madhusudanan



Cont.P.No.2779 of 2023

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ORDER

For non-compliance of the order of this Court, dated 23.06.2023 passed in W.P.No.18292 of 2023, the Contempt Petition is filed.

2. The learned counsel appearing for the petitioner submits that this Court by order dated 23.06.2023 in W.P.No.18292 of 2023 issued a direction to the respondent TANGEDCO not to take coercive steps to disconnect the electricity connection to the petitioner until the outstanding amounts due and payable is completely adjusted towards the current consumption charges / open access charges payable by the petitioner. Pursuant to the same, the current consumption charges were adjusted, however the respondent made further threatening demand letter on 14.11.2023, thereby the present contempt petition has been filed.

3. The learned counsel appearing for the respondent submits that this Court passed an order without providing an opportunity to the respondent / contemnor and thereby the respondent sent a demand letter on



Cont.P.No.2779 of 2023

WEB COPY

14.11.2023. In the meanwhile, the current consumption charges were adjusted in the petitioner service connection in March 2023 and there is no outstanding, thereby they made a fresh demand and hence, for fresh cause of action they have to challenge by way of separate Writ Petition.

4. Admittedly, the order was passed without providing opportunity to the respondent and hence, there is no wilful disobedience on the part of the respondent. Accordingly, this Contempt Petition is closed with liberty to the petitioner to work out its remedy in the manner known to law. The respondent / contemnor is directed not to give effect to the demand letter dated 14.11.2023 for a period of four weeks from today.

17.11.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



Cont.P.No.2779 of 2023

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To

S.Anbalagan, B.E.,
The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation,
TANGEDCO,
Dindugal EDC,
Dindugal.



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Cont.P.No.2779 of 2023

M.DHANDAPANI, J.

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