



WEB COPY



W.P.Nos.33049, 33054, 33055 & 33057 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.11.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.Nos.33049, 33054, 33055 & 33057 of 2023
& WMP.Nos.32733, 32739, 32740 & 32744 of 2023

Majestic Exports,
No.9 & 10, Malligai Nagar,
College Road, Tirupur – 641 602
Repd. by its Accounts Manager
C.Tamil Selvan

... Petitioner in W.P.No.33049 of 2023

Sri Valli Spinning Mills,
HTSC No.039094390417,
1096, Muthur Road,
Vellakoil-638 111
Tirupur District
Repd. by its Manager P.Ayyaswamy

... Petitioner in W.P.No.33054 of 2023

Sri Choleeswarar Spinning Mills,
HTSC No.039094390403,
Old No.W-3/138- New No.W-1/70,
Kadaiurvanvalasu, Uppupalayam Post,
Vellakoil – 638 111
Tirupur District.
Repd. By its Manager P.Ayyaswamy

... Petitioner in W.P.No.33055 of 2023

M/s. Janaa Industries,
No.683/1/108, Srivilliputhur Road,



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Rajapalayam-626 110.

Repd. by its Authorized Signature

Janagaraj Kannappar

... Petitioner in W.P.No.33057 of 2023

Vs

1. Tamil Nadu Electricity Regulatory
Commission repd. By its Secretary,
19-A, Rukmini LakshmipathySalai,
(Marshall's Road)
Egmore, Chennai – 600 008.
2. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002.
3. Chief Engineer,
Non- Conventional Energy Sources,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002.
4. The Superintending Engineer
TANGEDCO,
Coimbatore North Electricity Distribution Circle,
Coimbatore.

... Respondents in W.P.No.33049 of 2023

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



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Non- Conventional Energy Sources,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002.

3. Director Generation,
TANGEDCO,
144, Anna Salai,
Chennai-600 002.
4. The Superintending Engineer
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam.

... Respondents in W.P.Nos.33054 & 33055 of 2023

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002.
2. Chief Engineer,
Non- Conventional Energy Sources,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002.
3. Director Generation,
TANGEDCO,
144, Anna Salai,
Chennai-600 002.
4. The Superintending Engineer
TANGEDCO,
Virudhunagar Electricity Distribution Circle,



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Virudhunagar.

... Respondents in W.P.No.33057 of 2023

PRAYER in W.P.No.33049 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying 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's HTSC No.039094300425 till the entire outstanding dues of Rs.10,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioner's Solar Power Plant HTSC No. 069534460021 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

PRAYER in W.P.No.33054 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying 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's HTSC No.039094390417 till the entire outstanding dues of Rs.10,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioner's Solar Power Plant HTSC No.049534370034 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

PRAYER in W.P.No.33055 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying 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's HTSC No.039094390403 till the entire outstanding dues of Rs.10,00,000/- payable to the petitioner along



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with interest towards refundable security deposit in the account of the petitioner's Solar Power Plant HTSC No.049534370033 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

PRAYER in W.P.No.33057 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying 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's HTSC No.079094620261 till the entire outstanding dues of Rs.10,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioner's Solar Power Plant HTSC No.079534620101 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

In all W.P.'s

For Petitioner : Mr.S.P.Parthasarathy

For Respondents : Mr.Enock Anand
for Mr.L.Jai Venkatesh
Standing Counsel

COMMON ORDER

Mr.Enock Anand, 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 these matters, even at the stage of admission.



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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.10,00,000/- (W.P.No.33049 of 2023), Rs.10,00,000/- (W.P.No.33054 of 2023), Rs.10,00,000/- (W.P.No.33055 of 2023) and Rs.10,00,000/- (W.P.No.33057 of 2023) are adjusted as against the consumption charges.

3. Mr.Enock Anand would acquiesce to the position that the amount of Rs.10,00,000/- (W.P.No.33049 of 2023), Rs.10,00,000/- (W.P.No.33054 of 2023), Rs.10,00,000/- (W.P.No.33055 of 2023) and Rs.10,00,000/- (W.P.No.33057 of 2023) as quantified by the petitioners are indeed arrears due to the petitioners.

4. 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.

5. 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.



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6. In light of the above, these Writ Petitions stand allowed. No costs.

Connected Miscellaneous Petitions are closed.

23.11.2023

Index : Yes / No

Speaking Order

Neutral Citation: Yes

vs

To

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Dr.ANITA SUMANTH, J.

VS

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

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