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W.P.Nos.33665, 33666 & 33667 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 30.11.2023

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.Nos.33665, 33666 & 33667 of 2023
and WMP Nos.33505, 33507 & 33508 of 2023

Viking Textiles P Ltd.,
HTSC No.039094390386,
505, Avanashi road,
Tirupur – 641603,
repd.its General Manager
R.Natrajan ... Petitioner in W.P.Nos.33665 & 33667 of 2023

Royal Classic Mills P Ltd.,
No.31, Puliyamara Thottam,
Mangalam Road, Tiruppur
Repd. by its Director Operations
Mr.S.N.Venkatachalam ... Petitioner in W.P.No.33666 of 2023

Vs

1. Tamil Nadu Electricity Regulatory
Commission repd. By its Secretary,
19-A, RukiminiLakshmipathySalai,
(Marshall's Road)
Egmore, Chennai – 600 008.
2. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002.



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3. Director Finance

Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002.

... Respondents in W.P.Nos.33665, 33666 & 33667 of 2023

4. The Superintending Engineer

TANGEDCO

Palladam Electricity Distribution Circle,
Palladam.

... Respondent in W.P.Nos.33665 & 33667 of 2023

5. The Superintending Engineer

TANGEDCO

Coimbatore Electricity Distribution Circle/South,
Coimbatore.

... Respondent in W.P.No.33665 of 2023

6. The Superintending Engineer

TANGEDCO

Tirupur Electricity Distribution Circle,
Tirupur.

7. The Superintending Engineer

TANGEDCO

Dindigul Electricity Distribution Circle,
Dindigul.

... Respondents in W.P.No.33666 of 2023

PRAYER in W.P.No.33665 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying 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 makes



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payment of the outstanding dues of Rs.14,14,812/- (for the year of 2022-2023) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

PRAYER in W.P.No.33666 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying 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 makes payment of the outstanding dues of Rs.20,64,209/- (for the year of 2017-2018) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

PRAYER in W.P.No.33667 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying 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 makes payment of the outstanding dues of Rs.24,68,074/- (for the year of 2022-2023) payable to the petitioner 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.M.Saravanakumar

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



COMMON ORDER

WEB COPY Mr.Enock Anand, learned Counsel 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.

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.14,14,812/- (W.P.No.33665 of 2023), Rs.20,64,209/- (W.P.No.33666 of 2023) and Rs.24,68,074/- (W.P.No.33667 of 2023) are adjusted as against the consumption charges.

3. Mr.Enock Anand would acquiesce to the position that the amount of Rs.14,14,812/- (W.P.No.33665 of 2023), Rs.20,64,209/- (W.P.No.33666 of 2023) and Rs.24,68,074/- (W.P.No.33667 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.



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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.

6. In light of the above, these Writ Petition stand allowed. No costs. Connected Miscellaneous Petitions are closed.

30.11.2023

Index : Yes / No
Speaking order
Neutral citations: Yes
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To

1. Tamil Nadu Electricity Regulatory Commission repd. By its Secretary, 19-A, RukiminiLakshmipathySalai, (Marshall's Road) Egmore, Chennai – 600 008.
2. The Chairman, Tamil Nadu Generation and Distribution Corporation Limited, 144, Anna Salai Chennai 600 002.
3. Director Finance Tamil Nadu Generation and Distribution Corporation Limited, 144, Anna Salai Chennai 600 002.



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Dr.ANITA SUMANTH,J.
SI

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