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W.P.Nos.33854, 33851, 33852 & 33859



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.12.2023

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.Nos.33854, 33851, 33852 & 33859 of 2023

& WMP.Nos.33698, 33696, 33697 & 33859 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.33854 & 33851 of 2023

Anand Textiles
HTSC No.0390943220250,
527, Avinashi Road,
Tirupur-641 604
Repd. by its General Manager
R.Natarajan

... Petitioner in W.P.No.33852 of 2023

NK Wind Farms India (Pvt) Ltd.,
No.10, Mangalam Road, Tirupur
Repd. by its Authorized Signatory
M.Balasubramani

... Petitioner in W.P.No.33852 of 2023

Vs

1. Tamil Nadu Electricity Regulatory
Commission repd. By its Secretary,
19-A, RukminiLakshmipathySalai,
(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.

... Respondents in W.P.Nos.33854, 33851, 33852 & 33859 of 2023

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

... Respondent in W.P.Nos.33854, 33851 & 33859 of 2023

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

... Respondent in W.P.No.33854 of 2023

6. The Superintending Engineer
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.

... Respondent in W.P.No.33851 of 2023

7. The Superintending Engineer
TANGEDCO,
Coimbatore/South Electricity Distribution Circle,
Coimbatore.

... Respondent in W.P.No.33852 of 2023

8. The Superintending Engineer
TANGEDCO,
Gobi Electricity Distribution Circle,



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

... Respondents in W.P.No.33859 of 2023

PRAYER in W.P.No.33854 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 until the respondent makes payment of the outstanding dues of Rs.7,12,160/- (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.33851 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 until the respondent makes payment of the outstanding dues of Rs.17,00,628/- (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.33852 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 until the respondent makes payment of the outstanding dues of Rs.6,35,650/- (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.33859 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 until the respondent makes payment of the outstanding dues of Rs.4,59,226/- (for the year of 2018-2019) 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 : Ms.Keerthana Sheno
for Mr.L.Jai Venkatesh
Standing Counsel



COMMON 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 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.7,12,160/- (W.P.No.33854 of 2023), Rs.17,00,628/- (W.P.No.33851 of 2023), Rs.6,35,650/- (W.P.No.33852 of 2023) and Rs.4,59,226/- (W.P.No.33859 of 2023) are adjusted as against the consumption charges.

3. Ms.Keerthana Shenoi would acquiesce to the position that the amount of Rs.7,12,160/- (W.P.No.33854 of 2023), Rs.17,00,628/- (W.P.No.33851 of 2023), Rs.6,35,650/- (W.P.No.33852 of 2023) and Rs.4,59,226/- (W.P.No.33859 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.

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

07.12.2023

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Index : Yes / No

Speaking Order: Yes

Neutral Citation: Yes

To

1. Tamil Nadu Electricity Regulatory Commission repd. By its Secretary, 19-A, RukminiLakshmipathySalai, (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.

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& WMP.Nos.33698, 33696, 33697 & 33859 of 2023

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