



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.12.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.Nos.33860, 33862, 33866, 33866, 33962,
33966, 33963, 33968 & 33971 of 2023
& WMP.Nos.33707, 33709, 33710, 33713,
33848, 33852, 33849, 33853 & 33855 of 2023

W.P.No.33860 of 2023:

M/s Sky Weaves,
Arul Industrial Estate, Arulpuram,
Tirupur – 641605
Repd By its Authorized Signatory M.Naveendhar

... Petitioner

Vs

- 1 Tamil Nadu Electricity Regulatory
Commission Repd. 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, 144, Anna Salai
Chennai 600 002.
- 3 Director Finance
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002.



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

5 The Superintending Engineer
TANGEDCO,
Kanyakumari Electricity Distribution Circle,
Kanyakumari

... Respondents

PRAYER: 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.16,04,677/- (for the year of 2022-2023 payable to the petitioner towards cost of the wind energy supplied by the petitioner to the respondent) or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

<i>W.P.Nos.</i>	<i>For Petitioner</i>	<i>For Respondents</i>
33860, 33862, 33866, 33866, 33962, 33966 & 33971 of 2023	Mr.R.S.Pandiyaraj	Mr.L.Jai Venkatesh Standing Counsel for TANGEDCO
33963 of 2023	Mr.R.S.Pandiyaraj	Mr.S.Kalaiselvan Standing Counsel for TNEB
33968 of 2023	Mr.R.S.Pandiyaraj	Mr.I.Syed Sibghatulla Standing Counsel for TNEB



COMMON ORDER

Mr.L.Jai Venkatesh, learned Standing Counsel accepts notice for the respondents in W.P.Nos.33860, 33862, 33866, 33866, 33962, 33966 & 33971 of 2023, Mr.S.Kalaiselvan, learned Standing Counsel accepts notice for the respondents in WP.No.33963 of 2023 and Mr.I.Syed Sibghatulla, learned Standing Counsel accepts notice for the respondent in W.P.No.33968 of 2023. They are 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.16,04,677/- (W.P.No.33860 of 2023), Rs.75,80,020/- (W.P.No.33862 of 2023), Rs.22,80,724/- (W.P.No.33863 of 2023), Rs.4,27,754/- (W.P.No.33866 of 2023), Rs.33,19,220/- (W.P.No.33962 of 2023), Rs.9,73,438/- (W.P.No.33966 of 2023), Rs.14,74,950/- (W.P.No.33963 of 2023), Rs.60,98,385/- (W.P.No.33968 of 2023) and Rs.1,17,24,817/- (W.P.No.33971 of 2023) are adjusted as against the consumption charges.

3. Learned Standing Counsels for the respondents would acquiesce to the position that the amount of Rs.16,04,677/- (W.P.No.33860 of 2023),



Rs.75,80,020/- (W.P.No.33862 of 2023), Rs.22,80,724/- (W.P.No.33863 of 2023), Rs.4,27,754/- (W.P.No.33866 of 2023), Rs.33,19,220/- (W.P.No.33962 of 2023), Rs.9,73,438/- (W.P.No.33966 of 2023), Rs.14,74,950/- (W.P.No.33963 of 2023), Rs.60,98,385/- (W.P.No.33968 of 2023) and Rs.1,17,24,817/- (W.P.No.33971 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.

06.12.2023

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Index : Yes / No

Speaking Order:Yes

Neutral Citation:Yes



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DR.ANITA SUMANTH, J.

SI

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