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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.12.2023

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.Nos.34012, 34015, 34018 & 34022 of 2023

& WMP.Nos.33885, 33889, 33891 & 33893 of 2023

Akshara Spinning Mills (P) LTD

No.10A, Puliamarathottam, First Street,

Mangalam Road, Tirupur

repd By its

Authorized Signatory M.Balasubramani

2023

... Petitioner in W.P.No.34012 of

Adisankara Spinning Mills (P) Ltd.,

HTSC No.059094500182,

OTTANAGAMPATTY, VEDASANDUR,

DINDIGUL

Repd. By its Authorized Signatory

M.Balasubramani

... Petitioner in W.P.No.34022 of 2023

M/s. Subabhalaji Spinning Mills Pvt. Ltd.,

SF No.140, Anjanoor (PO),

Ellapalayam Naal Road, Onankuttai,

Nambiyur, Gobichettipalayam.

Repd. by its Authorized Signatory Pazhanisamy

... Petitioner in W.P.No.34015 of 2023

M/s. Ave Maria Spinning Mills Pvt. Ltd.,

HTSC No.049094360121,

SF.No.59/7B, Pullappa

Naickenpalayam Elur, D.G.Pudur,



Gobichettipalayam Erode District

Repd by Authorized Signatory Arulgruz Pankaraj

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... Petitioner in W.P.No.34018 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 all W.P's

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

... Respondent in W.P.Nos.34022 of 2023

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

... Respondent in W.P.No.34022 of 2023

6. The Superintending Engineer



TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.

... Respondent in W.P.Nos.34015 & 34018 of 2023

7. The Superintending Engineer
TANGEDCO,
Gobi Electricity Distribution Circle,
GOBI.

... Respondent in W.P.Nos.34012, 34015 & 34018 of 2023

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

... Respondent in W.P.No.34012 of 2023

PRAYER in W.P.No.34012 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.16,20,613/- (for the year of 2016-2019 and 2022-2023) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

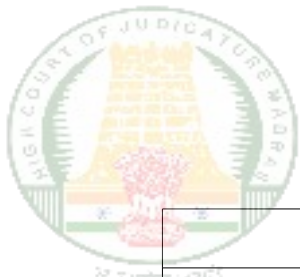
PRAYER in W.P.No.34022 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondent and their men, agents from collecting current consumption charges,



demand charges and any arrears from the petitioner until the respondent makes payment of the outstanding dues of Rs.1,21,76,909/- (for the year of 2019-2020 and 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.34015 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.24,11,930/- (for the period from June 2022 to September/2022 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.34018 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.1,96,158/- (for the year of 2022-23) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.



W.P.No.	For petitioner	For Respondents
34012 of 2023	Mr.S.P.Parthasarathy	Mr.L.Jai Venkatesh Standing Counsel
34022 of 2023	Mr.S.P.Parthasarathy	Mr.S.Madhusuthanan Standing Counsel
34015 & 34018 of 2023	Mr.S.P.Parthasarathy	Mr.I.Syed Sibghathullah Standing Counsel

COMMON ORDER

Mr.L.Jai Venkatesh, learned Standing Counsel accepts notice for the respondents in W.P.No.34012 of 2023, Mr.S.Madhusuthanan, learned Standing Counsel accepts notice for the respondents in W.P.No.34022 of 2023 and Mr.I.Syed Sibghathullah, learned Standing Counsel accepts notice for the respondents in W.P.Nos.34015 & 34018 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.16,20,613/- (W.P.No.34012 of 2023), Rs.1,21,76,909/- (W.P.No.34022 of 2023), Rs.24,11,930/- (W.P.No.34015 of



2023) and Rs.1,96,158/- (W.P.No.34018 of 2023) are adjusted as against the consumption charges.

3. Mr.L.Jai Venkatesh, Mr.S.Madhusuthanan and Mr.I.Syed Sibghathullah would acquiesce to the position that the amount of Rs.16,20,613/- (W.P.No.34012 of 2023), Rs.1,21,76,909/- (W.P.No.34022 of 2023), Rs.24,11,930/- (W.P.No.34015 of 2023) and Rs.1,96,158/- (W.P.No.34018 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.

11.12.2023

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Index : Yes / No

Speaking Order:Yes

Neutral Citation:Yes



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- 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
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 4. The Superintending Engineer
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Palladam Electricity Distribution Circle,
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DR.ANITA SUMANTH, J.

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