



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.12.2023

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.Nos.35780 & 35783 of 2023
& WMP.Nos.35777 & 35781 of 2023

M/s.Rajaguru Spinning Mills P Ltd.,
SF No.97/2, Mampalayam Road,
Vediyarasampalayam,
Pallipalayam, Erode -08,
repd.its Manager K.Saravanan

... Petitioner in both W.P.s'

Vs

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,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai-600 002.
4. The Superintending Engineer
TANGEDCO,



Namakkal Electricity Distribution Circle,
Namakkal – 637 001.

... Respondents in both W.P.s'

PRAYER in W.P.No.35780 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.049094370510 till the entire outstanding dues of Rs.50,00,000/- payable to the petitioner towards refundable security deposit in the account of the Petitioner's Solar Power Plant HTSC No.069534420046 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.35783 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.049094370525 till the entire outstanding dues of Rs.35,00,000/- payable to the petitioner towards refundable security deposit in the account of the Petitioner's Solar Power Plant HTSC No.039514390060 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

In both W.P.'s
For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.S.Kalaiselvan
Standing Counsel



COMMON ORDER

Mr.S.Kalaiselvan, 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.50,00,000/- (W.P.No.35780 of 2023) and Rs.35,00,000/- (W.P.No.35783 of 2023) is adjusted as against the consumption charges.

3. Mr.S.Kalaiselvan would acquiesce to the position that the amount of Rs.50,00,000/- (W.P.No.35780 of 2023) and Rs.35,00,000/- (W.P.No.35783 of 2023) as quantified by the petitioner is indeed arrears due to the petitioner.

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.

22.12.2023

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Index : Yes / No

Speaking Order:Yes

Neutral Citation:Yes

To

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W.P.Nos.35780 & 35783



DR.ANITA SUMANTH, J.

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