



W.P.Nos.35897 & 35899 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2023

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.Nos.35897 & 35899 of 2023

M/s.PAS Cotton Mills Pvt Ltd.,
141, Mamsaouram Village,
Srivillputhur Taluk,
Srivillputhur to Rajapalayam Road,
Rajapalayam - 626 110
rep. by its Authorized Signatory,
K.Selvakumar

.. Petitioner
in WP 35897/23

M/s.Sri Dharma Spinners Pvt Ltd
3/248, Ayyankollam Kondan,
Thenkasi Road,
Soundarachipuram - 626 142
Rajapalayam
rep. by its Authorized Signatory,
K.Selvakumar

.. Petitioner
in WP 35899/23

vs

1.The Chairman,
Tamilnadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai - 600 002.

2.The Chief Engineer,
Non Conventional Energy Sources,
Tamilnadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai - 600 002.

3.The Superintending Engineer,
TANGEDCO,
Virudhunagar Electricity Distribution Circle,
Virudhunagar

.. Respondents
in both writ petitions



W.P.Nos.35897 & 35899 of 2023

Prayer in WP 35897 of 2023: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's captive consumer current consumption bills in HTSC No. 079094620281 till the entire outstanding dues of Rs.20,00,000/- payable to the petitioner towards refundable security deposit in the account of the petitioner's solar power plant HSTC No. 059514500137 is paid or given adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

Prayer in WP 35899 of 2023: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's captive consumer current consumption bills in HTSC No. 079094620198 till the entire outstanding dues of Rs.10,00,000/- payable to the petitioner towards refundable security deposit in the account of the petitioner's solar power plant HSTC No. 059514500140 is paid or given adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

For Petitioner : Mr.Ali Hassankhan
(in both writ petitions)

For Respondents : Ms.Keerthana Shenoi
for Mr.S.Madhusudanan
(in both writ petitions)

COMMON ORDER

Ms.Keerthana Shenoi, learned counsel appearing on behalf of Mr.S.Madhusudanan, learned counsel, accepts notice for the respondents and is armed with instructions to enable final disposal of these matters, even at the stage of admission.



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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.20,00,000/- (W.P.No.35897 of 2023) and Rs.10,00,000/- (W.P.No.35899 of 2023) are adjusted as against the consumption charges.

3. Ms.Keerthana Shenoi, would acquiesce to the position that the amount of Rs.20,00,000/- (W.P.No.35897 of 2023) and Rs.10,00,000/- (W.P.No.35899 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.

21.12.2023

Index:Yes/No
Neutral Citation:Yes
ssm



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To

- 1.The Chairman,
Tamilnadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai - 600 002.
- 2.The Chief Engineer,
Non Conventional Energy Sources,
Tamilnadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
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DR. ANITA SUMANTH,J.

ssm

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