



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.12.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH
W.P.Nos.35913, 35919, 35921, 35926 and 35928 of 2023
& WMP.Nos.35914, 35917, 35920, 35925 and 35929 of 2023

In W.P.No.35913 of 2023:

Top Light Labels, HTSC 096,
SF No.282/8, 10, 11, 9(P),
Karaipudur Village, Palladam (TK),
TIRUPUR. Repd. By its Authorized Signatory
S.Paramasivam

... Petitioner

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.
4. The Superintending Engineer



TANGEDCO,
Tirupur Electricity Distribution Circle,
Tirupur.

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

... 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 payments of the outstanding dues of Rs.3,22,798/- (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.

In W.P.No.35919 of 2023:

OBIT TEXTILES PVT. LTD.,
No.2/647, b, Venus Garden,
Periandipalayam, Aangalm Road,
TIRUPUR. Repd. By its Authorized Signatory
S.Paramasivam

... Petitioner

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.

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

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

... 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 payments of the outstanding dues of Rs.21,85,273/- (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.

In W.P.No.35921 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

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.
4. The Superintending Engineer
TANGEDCO,
Erode Electricity Distribution Circle,
Erode.
5. The Superintending Engineer
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.

... 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 payments of the outstanding dues of Rs.6,80,391/- (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.

In W.P.No.35926 of 2023:

M/s. Anishkumar Spinning Mills
No.22, Kalapatty Road, Nehru Nagar
Civil Aerodrome Post, Coimbatore



repd. its Authorised Signatory
Mr.K.Subramanian

... Petitioner

WEB COPY

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.
4. The Superintending Engineer TANGEDCO, Coimbatore Metro Electricity Distribution Circle, Coimbatore.
5. The Superintending Engineer TANGEDCO, Udumalpet Electricity Distribution Circle, Udumalpet.

... 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 payments of the outstanding dues of Rs.13,30,176/- (for the year of 2017-2018) payable to the petitioner or give



adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

In W.P.No.35928 of 2023:

M/s. Sri Suguna Machine Works (P) Ltd.,
P.B.No.4003-707, Avinashi Road,
Vilankuichy, Coimbatore.
Repd. its Authorised Signatory
Mr.K.Subramaniam

... Petitioner

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
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3. Director Finance
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002.
4. The Superintending Engineer
TANGEDCO,
Coimbatore Metro Electricity Distribution Circle,
Coimbatore.
5. The Superintending Engineer
TANGEDCO,
Udumalpet Electricity Distribution Circle,
Udumalpet.



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

... 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 payments of the outstanding dues of Rs.37,49,798/- (for the year of 2014-2018) 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
35913 of 2023	Mr.M.Saravanakumar	Mr.D.Nithesh Kumar for Mr.L.Jai Venkatesh Standing Counsel
35919 of 2023	Mr.M.Saravanakumar	Mr.D.Nithesh Kumar for Mr.L.Jai Venkatesh Standing Counsel
35921 of 2023	Mr.M.Saravanakumar	Mr.Syed Sibgathulla Standing Counsel
35926 of 2023	Mr.M.Saravanakumar	Mr.D.Nithesh Kumar for Mr.L.Jai Venkatesh Standing Counsel
35928 of 2023	Mr.M.Saravanakumar	Mr.D.Nithesh Kumar for Mr.L.Jai Venkatesh Standing Counsel

COMMON ORDER

Mr.D.Nithesh Kumar, learned counsel appearing on behalf of Mr.L.Jai Venkatesh, learned Standing Counsel and Mr.Syed Sibgathullah, 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.

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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.3,22,798/- (W.P.No.35913 of 2023), Rs.21,85,273/- (W.P.No.35919 of 2023), Rs.6,80,391/- (W.P.No.35921 of 2023), Rs.13,30,176/- (W.P.No.35926 of 2023) and Rs.37,49,798/- (W.P.No.35928 of 2023) is adjusted as against the consumption charges.

3. Mr.D.Nithesh Kumar and Mr.Syed Sibgathullah would acquiesce to the position that the amount of Rs.3,22,798/- (W.P.No.35913 of 2023), Rs.21,85,273/- (W.P.No.35919 of 2023), Rs.6,80,391/- (W.P.No.35921 of 2023), Rs.13,30,176/- (W.P.No.35926 of 2023) and Rs.37,49,798/- (W.P.No.35928 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.

22.12.2023

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Index : Yes / No

Speaking Order:Yes

Neutral Citation:Yes

To

1. Tamil Nadu Electricity Regulatory
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TANGEDCO,
Erode Electricity Distribution Circle,
Erode.
8. The Superintending Engineer
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Tirunelveli Electricity Distribution Circle,
Tirunelveli.
9. The Superintending Engineer
TANGEDCO,
Tirupur Electricity Distribution Circle,
Tirupur.



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W.P.Nos.35913, 35919, 35921, 35926 and 35928



DR.ANITA SUMANTH, J.
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W.P.Nos.35913, 35919, 35921, 35926 and 35928 of 2023
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