



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.280 of 2022

and

WMP(MD)Nos.217, 218 & 219 of 2022

M/s.Ohm Srinivasa Paper Boards
Pvt Ltd.,
Rep.by its Authorised Representative
A.Ramasubramanian
Sinthaipalli Village, Venkatachalapuram,
Sattur - 626 203.

... Petitioner

v.

1.The Chairman cum Managing Director,
TANGEDCO, 6th Floor, TANTRANSCO Building,
144, Anna Salai, Chennai – 600 002.

2.The Chief Engineer,
Tirunelveli Electricity Distribution Circle,
TANGEDCO, Thiyagaraja Nagar,
Tirunelveli – 11.

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

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the respondents herein which culminated in the impugned



Notification/Letter issued by the 3rd respondent in Lr.No.SE/VREDC/VDR/AO/REV/AAO.HT/JA/F.CC/D.No.1028/2021 dated 17.12.2021 quash the said impugned Notification / Letter with regard to petitioner's Electricity Connection in HT SC No.326 as unreasonable and onerous and to direct the respondents to recalculate the petitioner's Electricity Bills for the period between April, 2020 to November, 2021 by considering the order of Tamil Nadu Electricity Regulatory Commission in Suo Motu Proceedings No.2 of 2020 dated 04.05.2020 in Tamil Nadu Electricity Consumers Association and Ors vs. TANGEDCO and making necessary adjustments and to direct the respondents to provide reasonable time for payment of outstanding amounts in about 20 monthly installments or any other time frame to be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh for Mr.TKS.Gandhi

For Respondents : Mr.S.Deenadhayalan

ORDER

Heard both sides.

2.The petitioner company is a consumer of electricity. They are enjoying HT service connection. It was disconnected on the ground that the petitioner did not pay CC charges. The learned counsel for the petitioner states that the respondents had not taken into account the intervention of Covid 19 pandemic. The learned standing counsel for the respondents



pointed out that even during Covid period, the petitioner had been running his unit. It is stated that the benefit extended by TANGEDCO would have been available only if the petitioner had been prevented from consuming the electricity or if the TANGEDCO had been prevented from supplying the electricity. It is stated that the petitioner's current due is Rs.87.00 lakhs. This figure is disputed by the learned counsel for the petitioner. Be that as it may, the fact remains that the petitioner is in arrears of CC charges. If the petitioner wants re-connection, TANGEDCO shall provide the same if the petitioner pays 40% of the outstanding amount immediately. The remaining 60% of arrears shall be paid in ten monthly installments. Upon the petitioner making payment of 40% of the arrears, connection shall be given to the petitioner company.

3.This writ petition is disposed of. No costs. Connected miscellaneous petitions are closed.

20.10.2023

Index : Yes / No
Internet : Yes / No
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To

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G.R.SWAMINATHAN, J.

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