



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.11.2023

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THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5575 of 2022

and

W.M.P(MD)Nos.4508 & 4509 of 2022

M/s.Hotel Temple City,
LT SC No.133-003-606,
NH 44, Madurai To Virudhunagar Highways
Melanesaneri, Sivarakottai,
Tamil Nadu – 625 706
Rep.by its Managing Partner,
K.Subburaman

... Petitioner

v.

1.Tamil Nadu Generation and
Distribution Corporation Limited
(TANGEDCO),
Rep.by its Chairman and Managing
Director,
144, Anna Salai, Chennai – 600 002.

2.The Superintending Engineer,
TANGEDCO, Madurai Electricity
Distribution Circle,
Race Course, K.Pudhur,
Madurai – 625 007.

3.The Assistant Executive Engineer /
Distribution,
SS Complex, Usilampatti Road,
Thirumangalam – 625 706.

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 3rd Respondent in his impugned demand notice dated 22.03.2022 and quash the same as illegal, arbitrary and against the principles of natural justice, contrary to the Tariff Order No.1 of 2017 dated 11.08.2017 being Determination of Tariff for Generation and Distribution issued by the Tamil Nadu Electricity Regulatory Commission and against the Tamil Nadu Electricity Supply Code, 2004 and consequently direct the 3rd respondent to give refund of Rs.12,000/- illegally collected from the petitioner towards compounding charges.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.S.Deenadhayalan

Standing Counsel

ORDER

Heard both sides.

2.What is under challenge is mere a calculation sheet. During the pendency of this writ petition, the respondents have issued provisional assessment notice. The petitioner can very well offer his response. After complying with the procedure set out in the Act and the regulations framed therein, the respondents shall pass orders on merits and in accordance with law. The amount already paid by the petitioner pursuant to the order passed by this



Court will abide by the final order to be passed by the respondents. It is made clear that I have not gone into the merits of the matter. The interim order passed by this Court is made absolute and it will be abide by the outcome of the order to be passed by the respondents.

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

20.11.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

SKM

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