



W.P. (MD).No.10756 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.10.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.10756 of 2021
and W.M.P(MD)No.8371 of 2021

M/s.Shobikaa Impex Private Limited
Rep. by its Authorised Signatory
K.Iyappan

... Petitioner

Vs

1. Tamil Nadu Electricity Regulatory Commission,
Rep. by its Secretary,
19-A, Rukmini Lakshmipathy Salai, (Marshalls Road),
Egmore, Chennai – 600 008.
2. The Chairman,
Tamil Nadu Generation and Distribution Corporation Ltd.,
144, Anna Salai, Chennai - 600002.
3. The Director Finance,
Tamil Nadu Generation and Distribution Corporation Ltd.,
144, Anna Salai, Chennai - 600002.
4. The Superintending Engineer,
TANGEDCO,
Karur Electricity Distribution Circle, Karur.
5. The Superintending Engineer,
TANGEDCO, Tuticorin Distribution Circle,
Tuticorin.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner until the respondent makes payment of the outstanding dues of Rs.90,37,256/- (for the year of 2018-19) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

For Petitioner : Mr. R.S.Pandiyaraj

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This Writ Petition has been filed for issue of a writ of mandamus forbearing the respondents from collecting current consumption charges / demand charges or any arrears from the petitioner till the outstanding dues that are due and payable to the petitioner by the respondent is adjusted towards the same.

2.When the matter came up for admission on 29.06.2021, this Court passed the following order:



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“Mr.S.M.S.Johny Basha, learned Standing counsel takes notice for the respondents.

2.The learned counsel appearing for the petitioner submitted that a sum of Rs.90,37,256/- (Rupees Ninety Lakhs Thirty Seven Thousand Two Hundred and Fifty Six only) remains due and payable to the petitioner by the Department in the year 2018-2019. It is further submitted that the respondents must be directed not to demand any current consumption charges till this amount is adjusted.

3.It is also seen from records that this Court has consistently taken a stand that the consumer is entitled for the adjustment of the amounts due towards the current consumption charges. A batch of writ petitions are pending in this regard.

4.In view of the above, the respondents are directed not to disconnect the electricity supply given to the petitioner without adjusting the amount due towards electricity consumption charges until further orders.

5.Registry is directed to post this case after four weeks. In the meantime, the respondents are directed to file counter”.

3.When the matter was taken up for hearing today, the learned Standing Counsel appearing on behalf of TANGEDCO produced the proceedings of the Superintending Engineer, dated 18.11.2021. On going through the same, it is seen that the amount due and payable to the petitioner by the respondents has been adjusted towards the current consumption charges.



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4.Recording the same, this writ petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

18.10.2023

NCC : Yes/No
Internet : Yes/No
Index : Yes/No
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N.ANAND VENKATESH, J.

PNM

ORDER IN
W.P. (MD).No.10756 of 2021
and W.M.P(MD)No.8371 of 2021

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