



W.P(MD)No.13902 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.09.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13902 of 2015

and

M.P.(MD)Nos.1, 2 and 3 of 2015

M/s.L.G. Balakrishnan & Bros Ltd.,
HTSC No.132,
Rep. by its General Manager Cum Company,
Secretary - M.Lakshmi Kanth Joshi,
D.Gudalur, Vedasandur Taluk,
Dindigul District.

... Petitioner

Vs.

- 1.Tamil Nadu Generation and Distribution Corporation Ltd. (TANGEDCO),
Rep. by its Chairman and Managing Director,
144, Anna Salai, Chennai - 2.
- 2.The Superintending Engineer,
Dindigul Electricity Distribution Circle,
Dindigul.
- 3.The Accounts Officer / Revenue,
Dindigul Electricity Distribution Circle,
Dindigul.
- 4.Central Electricity Authority (CEA),
Rep. by its Chairperson,



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ORDER

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Heard the learned counsel on either side.

2.The learned counsel appearing for the petitioner submitted that the issue involved in this writ petition is covered by a decision made in a batch of writ petition in W.P.Nos.25 of 2015 dated 05.06.2017. The relevant portion of the said order is extracted hereunder:

“In view of Regulation 4(1)(iv) of the Tamil Nadu Electricity Supply Code, although the State has got power to direct the consumers to install harmonic filters irrespective of their voltage connection as stated by learned Additional Advocate General for the TANGEDCO, the same cannot be sustained in view of non-specification of any standard of harmonics for 11 kv/22kv/supply line consumers by the CEA, who, being an Apex Body as per Section 73(d) of the Act, has exclusive powers to specify the Grid Standards for operation and maintenance of transmission lines.

Thus, for all the reasons stated above, the impugned demands are quashed. Consequently, the writ petitions are allowed. No costs.”



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3.It was also brought to the notice of this Court by the learned counsel for the petitioner that the order passed by this Court has been followed by the Tamilnadu Electricity Regulatory Commission for determination of Tariff for Generation and Distribution in its order in TP No.1 of 2017 dated 11.08.2017, wherein, it has been incorporated as under:

“6.1.1.2 Harmonics:

a..... (b)It shall not be applicable for all HT consumers connected at 11 kv and 22 kv until the CEA prescribes any standard of harmonics for 11 kv/22kv supply line consumers and makes them also obligatory for harmonic controls.”

4.In view of the above said order dated 05.06.2017, this writ petition is allowed and the impugned demand notice is quashed. No costs. Consequently, the connected miscellaneous petitions are closed.

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

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