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WP.Nos.2747 & 2761 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.02.2024

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P.Nos.2747 & 2761 of 2021

and

W.M.P.No.3086 & 3107 of 2021

W.P.No.2747 of 2021

M/s. SCM Silks (Pvt) Ltd., HTSC No.573
No.S.F.No.74, New Market Street,
Tirupur - represented by its Authorised Signatory
C.Manoj Kumar

... Petitioner

vs.

1. Tamil Nadu Electricity Regulatory
Commission repd. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(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
Corproation Limited,
144, Anna Salai,
Chennai - 600 002.



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

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

..Respondents

Prayer in W.P : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to forbear 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.68,65,335/- (for the year of 2017-2020) 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.Jaivenkatesh
Standing Counsel for TANGEDCO

W.P.No.2761 of 2021

M/s. SCM Silks (Pvt) Ltd., HTSC No.100
No.55(2), Saibab Nagar, Valayankadu,
Tirupur - 641 602 represented by its
Authorised Signatory C.Manoj Kumar

... Petitioner

vs.

1. Tamil Nadu Electricity Regulatory
Commission repd. by its Secretary,
19-A, Rukmini Lakshmi pathy Salai,
(Marshall's Road), Egmore, Chennai - 600 008.



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2. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai - 600 002.
3. Director Finance,
Tamil Nadu Generation and Distribution
Corproation Limited,
144, Anna Salai,
Chennai - 600 002.
4. The Superintending Engineer,
TANGEDCO,
Villupuram Electricity Distribution Circle,
Villupuram.
5. The Superintending Engineer,
TANGEDCO
Tirunelveli Electricity Distribution Circle,
Tirunelveli.

..Respondents

Prayer in W.P : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to forbear 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.48,48,768/- (for the year of 2014-2020) 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.Jaivenkatesh
Standing Counsel for TANGEDCO

COMMON ORDER



The learned counsel for the petitioners would submit that the issues raised in the present writ petitions are covered under the order passed by this Court in a batch of Writ Petitions in W.P.No.6776 of 2020 etc., batch dated 28.10.2021. The relevant paragraphs 11 and 12 of the order, cited supra, read as under:~

"11. In view of the above, all these Writ Petitions are Disposed of with the following directions:~

(a) In all those cases where the TANGEDCO has acted upon the interim orders passed by this Court and the entire outstanding amounts due and payable has been adjusted, those writ petitions will be rendered infructuous since the grievance of those petitioners stands redressed;

(b) In those cases where the TANGEDCO is in the process of adjusting the outstanding amount due, such adjustment shall be continued till the entire outstanding amount is adjusted towards the current consumption charges / open access charges payable by the respective petitioners and

(c) The TANGEDCO shall not take any coercive steps to disconnect the electricity connection to the petitioners until the outstanding amounts due and payable is completely adjusted towards the current consumption charges/ open access charges payable by the petitioners.



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12. Post these cases under the caption “for filing final report“ on 23.12.2021 with regard to the subsequent developments that takes place in the meeting to be held on 20.12.2021 and also with regard to the submission of the policy paper as directed by this Court through order dated 03.09.2021. No costs. Consequently, connected miscellaneous petitions are closed.”

2. Accordingly, the Writ Petitions are disposed of with the same direction stipulated in paragraph Nos. 11 and 12 of the order passed in W.P.No.6776 of 2020 dated 28.10.2021. No costs. Consequently, the connected miscellaneous petitions are closed.

22.02.2024

Index :yes/No
Speaking /Non speaking order
vsi

To

1. Tamil Nadu Electricity Regulatory
Commission repd. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road),
Egmore,
Chennai - 600 008.

2. The Chairman,



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Tamil Nadu Generation and Distribution
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Tirunelveli.
6. The Superintending Engineer,
TANGEDCO,
Villupuram Electricity Distribution Circle,
Villupuram.



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J.NISHA BANU, J.

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