



WEB COPY

WP Nos. 1942, 1949, 1954, 1957
& 3430 of 2020



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-08-2024

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP Nos. 1942, 1949, 1954, 3430 & 1957 of 2020
and WMP.Nos.2275, 2278, 2284, 2286, 2292, 2294, 2296, 2298, 4000 & 4002
of 2020**

In W.P.No.1942 of 2020

Excel Cotspin India Pvt. Ltd.,
HTSC No.105, Sathy to Coimbatore
Main Road, Sathyamangalam 0638402,
Erode repd. by its Authorized Signatory
R.Boommanasamy,

Petitioner(s)

In W.P.No.1949 of 2020

M/s.Pandian Textile Mills (Pvt.) Ltd.
HTSC No.178, Kasipalayam Post,
Vedasandhur-624711
rep., by its Authorized Signatory
R.Bommanasamy

... Petitioner

In W.P.No.1954 of 2020

M/s.Chola Textiles Pvt Ltd,
HTSC No.069,
Minukkampatty,
Kasipalayam Post, Vedasandhur-624711
rep by its Authorized Signatory
R.Bommanasamy

... Petitioner



In W.P.No.1957 of 2020

M/s.Pallava Spinning Mills (Pvt.) Ltd.,
HTSC No.287,
Minukkampatty, Veda sandhur-624 711.
rep., by its Authorized Signatory
R.Bommanasamy

.... Petitioner

In W.P.No.3430 of 2020

M/s.KSV COTTON MILLS (P) Ltd.,
HTSC No.059094500192,
KSV Gardangujilamparai,
Veda sandur, D.Goodalur,
Dindigul 624 703
rep., by its Director,
Mr.S.A.Prasad.

... Petitioner

Vs

1. The State of Tamil Nadu
Rep. by its Secretary to Government,
Energy Department, Fort St. George,
Chennai - 600 009.

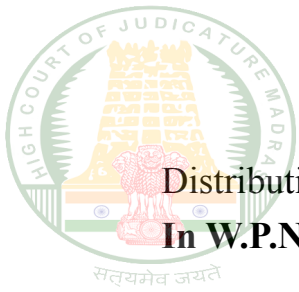
First Respondent in All WPs'

2.The Chairman and Managing
Director,
TANGEDCO Ltd., 144, Anna Salai,
Chennai - 600 002.

Second respondent in All WPs'

In W.P.No.1942 of 2020:

3.The Superintending Engineer,
TANGEDCO, Gobi Electricity



Distribution Circle, GOBI.

Third respondent

In W.P.Nos.1949, 1954, 3430 & 1957 of 2020

3. The Superintending Engineer,
TANGEDCO,
Dindigul Electricity Distribution Circle,
Dindigul.

Third respondent

COMMON PRAYER

These Writ Petitions are filed under Section 226 of Constitution of India seeking Writ of Mandamus forbearing the 2nd and 3rd respondents, from demanding and collecting the tax on maximum demand charges from the petitioner in H.T.Sc.Nos. 105, 178, 069, 287, 059094500192 as per the orders of the Honble Supreme Court of India, New Delhi on 31.8.2012 in SLP (C) No. 24993 of 2012 and 25522 of 2012 etc. Batch in M/s. Sri Krishna Alloys and Etc. Vs. Union of India and others etc.

For Petitioner(s): Mr.R.S. Pandiyaraj in
W.P.Nos.1942, 1949, 1954 &
1957 of 2020
Mr.Ragesh Bhagavath for
Mr.V.S.Sivasundaram in
W.P.No.3430 of 2020

For Respondent(s): Mr.L.S.M.Hasan Fizal, AGP for
R1 in all WPs'
Mr.S.Madhusudanan for R2 and
R3 in W.P.Nos.3430,1949 1954
& 1957 of 2020
Mr.I.Syed Sibghatulla for R2 and
R3 in WP.No.1942 of 2020



COMMON ORDER

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Writ Petitions are filed seeking a direction to forbear the respondents 2 and 3 from demanding and collecting tax on maximum demand charges from the petitioners in H.T.Sc. No. 105, 178, 069, 287, 059094500192 as per the order dated 31.08.2012 passed by the Apex Court in S.L.P.(C).No.24993 of 2012 and 25522 of 2012 etc., batch in the case of M/s.Sri Krishna Alloys and Etc., vs. Union of India and other etc.

2. As the issue involved in all Writ Petitions is one and the same, case are taken up for disposal by a common order.

3. When these matters are taken up for hearing, learned counsel for the petitioners submitted that, the issue involved in the present Writ Petitions is squarely covered by the order dated 25.07.2019 passed by this Court in W.P.No.21902 of 2019. For better appreciation, relevant portion of the said order is extracted hereunder:



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“ 3. the issue raised in the present petition is being settled against the petitioner in terms of the Division Bench judgment in W.P.No.159 of 2008 and etc., (batch) decided on 15.06.2012 and thereafter, the Hon'ble Supreme Court having entertained the Special Leave Appeals against the said judgment bearing Special Leave (Civil) Nos.24685 to 23719 of 2012, dated 31.08.2012, with and interim direction restraining the respondents therein from taking any coercive steps for disconnecting the supply of electricity to the premises of the petitioner therein, subject to that petitioner paying all the charges/dues except tax calculated on the basis of maximum demand, it is agreed that, the present Writ Petition be disposed of in the terms aforesaid, with the agreement that the ultimate fate of the matter before the Hon'ble Supreme Court would also govern the present petitioner and the same interim order would continue to enure for the benefit of the Writ Petitioner during the pendency of the Special Leave Appeals?”

4. As the said interim order passed by the Apex Court governs the Writ

Petitioners herein, the above Writ Petitions are disposed of in terms of the said



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order passed by this Court as stated supra. No costs. Consequently, connected

Miscellaneous Petitions are closed.

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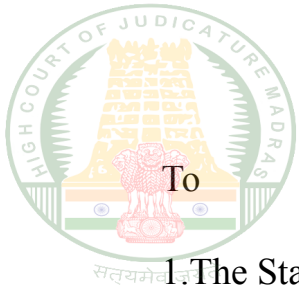
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WP Nos. 1942, 1949, 1954 ,19
& 3430 of 2020



To

1.The State of Tamil Nadu

Rep. by its Secretary to Government, Energy
Department, Fort St. George, Chennai - 600
009.

2.The Chairman and Managing Director,
TANGEDCO Ltd., 144, Anna Salai, Chennai -
600 002.

3.The Superintending Engineer,
TANGEDCO, Gobi Electricity Distribution
Circle, GOBI.

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



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M.DHANDAPANI J.

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2020 of 2020**

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