



WEB COPY

W.P.No.1254 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.1254 of 2024

M/s.Theni Guru Krishna Textile Mills Pvt Ltd
No.207B, By Pass Road,
Unjampatty Village,
Theni - 625 531
Rep. by its Authorised Signatory,
K.Selvakumar

.. Petitioner

VS

1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai - 600 002.

2.Chief Engineer,
Non Conventional Energy Sources,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai - 600 002.

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

.. Respondents

Petition filed under Article 226 of the Constitution of India praying
to issue a writ of mandamus forbearing respondent and their men, agents



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from collecting current consumption charges, demand charges and any arrears from the petitioner's captive consumer current consumption bills in HSTC No. 059094760047 till the entire outstanding dues of Rs.70,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the Petitioner's Solar Power Plant HTSC No. 059514500136 is paid or given adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

For Petitioner : Mr.Ali Hassan Khan
For Respondents : Mr.J.Aravind
for Mr.D.R.Arunkumar
Standing Counsel

ORDER

Mr.J.Aravind, learned counsel appearing on behalf of Mr.D.R.Arunkumar, learned Standing Counsel accepts notice for the respondents and is armed with instructions to enable final disposal of this matter, even at the stage of admission.

2. The prayer is for a mandamus forbearing the respondents, officials of the Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) from collecting current consumption charges or any further charges till the entirety of the outstanding dues of Rs.70,00,000/- is adjusted as against the consumption charges.



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3. Mr.Aravind would acquiesce to the position that the amount of Rs.70.00 lakhs as quantified by the petitioner is indeed arrears due to the petitioner.

4. Thus, and in light of the aforesaid admission, mandamus is issued forbearing the respondents from collecting the current consumption charges and directing the respondents to adjust the outstanding dues first as against the charges.

5. It is seen that similar orders have been passed in identical circumstances in Writ Petitions in W.P.Nos.33072 of 2022 dated 07.12.2022 and W.P.No.1857 of 2023 dated 14.02.2023.

6. In light of the above, this Writ Petition stands allowed. No costs.

19.01.2024

Index:Yes/No
Neutral Citation:Yes
Speaking order
mpl



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DR. ANITA SUMANTH,J.

mpl

To

- 1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai - 600 002.
- 2.The Chief Engineer,
Non Conventional Energy Sources,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
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