



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 31.01.2024

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.1863 of 2024

& WMP.No.1939 of 2024

Pacific Granites (India) Pvt. Ltd.,
Nallaganakothapalli Village,
Shoolagiri Taluk, Hosur
Repd. By its Managing Director
Varun Somani

... Petitioner

Vs

- 1 Tamil Nadu Electricity Regulatory
Commission, Repd. By its Secretary,
19-A, Rukmani 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
Corporation Limited, 144, Anna Salai,
Chennai – 600 002.



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

5 The Superintending Engineer,
TANGEDCO,
Tuticorin Electricity Distribution Circle,
Tuticorin

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the Respondent 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.65,46,527/- (for the year 2017-2023) 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.M.Saravana Kumar
For Respondents : Mr.S.Madhusudanan
Standing Counsel

ORDER

Mr.S.Madhusudanan, 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.65,46,527/- is adjusted as against the consumption charges.

3. Mr.S.Madhusudanan would acquiesce to the position that the amount of Rs.65,46,527/- 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. Connected Miscellaneous Petition is closed.

31.01.2024

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Index : Yes / No

Speaking Order:Yes

Neutral Citation:Yes



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W.P.No.1863



DR.ANITA SUMANTH, J.

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To

- 1 Tamil Nadu Electricity Regulatory Commission, Repd. By its Secretary, 19-A, Rukmani 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.
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