



WEB COPY



W.P.Nos.2189, 2193, 2195 & 2198 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 02.02.2024

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.Nos.2189, 2193, 2195 & 2198 of 2024
& WMP.Nos.2377, 2378, 2382, 2383,
2384, 2385, 2387 & 2388 of 2024

Vanitha Textiles,
HTSC No.039094390305,
S.F.No.39/2, Panikkampatti Village,
Chettipalayam Road,
Palladam, tirupur – 641 664.
Repd. by its Authorized Signatory
V.Gopal

... Petitioner in W.P.No.2189 of 2024

S.K.T. Textile Mills,
182, Chettipalayam Road,
Palladam, Tirupur – 641 664.
Repd. by its Authorized Signatory
V.Gopal

... Petitioner in W.P.No.2193 of 2024

Vanitha Textiles Unit II,
HTSC No.039094390550,
S.F.No.39/2, Panikkampatti Village,
Chettipalayam Road,
Palladam, Tirupur – 641 664.
Repd. by its Authorized Signatory
V.Gopal

... Petitioner in W.P.No.2195 of 2024



W.P.Nos.2189, 2193, 2195 & 2198 of 2024

S.K.T.Textile Mills,
HTSC No.039094390252,
182, Chettipalayam Road,
Palladam, tirupur – 641 664.
Repd. by its Authorized Signatory
V.Gopal

... Petitioner in W.P.No.2198 of 2024

Vs

- 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,
Palladam Electricity Distribution Circle,
TANGEDCO
Palladam.

.... Respondents in all W.P.s

PRAYER in W.P.No.2189 of 2024: Writ Petition filed under Article 226 of the Constitution of India praying to issue a 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.No.039094390305, as per the orders of the Hon'ble 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 & Etc. Vs. Union of India and others etc.



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PRAYER in W.P.No.2193 of 2024: Writ Petition filed under Article 226 of the Constitution of India praying to issue a 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.No.039094390206, as per the orders of the Hon'ble 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 & Etc. Vs. Union of India and others etc.

PRAYER in W.P.No.2195 of 2024: Writ Petition filed under Article 226 of the Constitution of India praying to issue a 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.No.039094390550, as per the orders of the Hon'ble 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 & Etc. Vs. Union of India and others etc.

PRAYER in W.P.No.2198 of 2024: Writ Petition filed under Article 226 of the Constitution of India praying to issue a 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.No.039094390252, as per the orders of the Hon'ble 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 & Etc. Vs. Union of India and others etc.

For Petitioners

: Mr.M.Saravanakumar



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W.P.Nos.2189, 2193, 2195 & 2198 of 2024

(in all W.P.'s)

For R1
(in all W.P.'s)
For R2 & R3
(in all W.P.'s)

: Mrs.Geetha Thamaraiselvan
Special Government Pleader
: Ms.Keerthana Shenoi
for Mr.L.Jai Venkatesh
Standing Counsel

COMMON ORDER

Mrs.Geetha Thamaraiselvan, learned Special Government Pleader accepts notice for R1 and Ms.Keerthana Shenoi, learned counsel on behalf of Mr.L.Jai Venkatesh, learned Standing Counsel accepts notice for R2 and R3 in all Writ Petitions. Both learned counsel would accede to the position that the prayer sought for by the petitioners being a writ of Mandamus forbearing R2 and R3 from demanding and collecting tax in maximum demand charges in H.T.Sc.Nos.039094390305, 039094390206, 039094390550 and 039094390252 is liable to be accepted.

2. My attention is drawn by all learned counsel to orders of the Hon'ble Supreme Court in SLP (C) No. 24993 of 2012 and 25522 of 2012 dated 31.08.2012 [*M/s.Sri Krishna Alloys & Etc Vs Union of India and others etc*], which has been followed subsequently by this Court, where under the respondents have been restrained from taking any coercive steps from disconnection of supply of electricity subject to the petitioner paying all charges barring tax on the basis of maximum demand. Following that order this Court



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has routinely been allowing similar writ petitions (see order dated 25.08.2021 in

W.P.No.9090 of 2020 and batch *M/s.Lucky Weaves India P Ltd v State of Tamil Nadu and others* and order dated 17.11.2021 in W.P.No.24336 of 2021 and batch *SJLT Spinning Mills Private Ltd Unit II vs State of Tamil Nadu and others*.

3. In light of the same, the prayer of the writ petitioners are liable to be acceded to and mandamus is issued as sought for. It is made clear that barring the maximum demand charges, the petitioners shall ensure payment of all other charges.

4. Writ Petitions stand allowed in terms of this order. No costs. Connected Miscellaneous Petitions are closed.

02.02.2024

Index : Yes / No

Speaking order

Neutral citations: Yes

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To

1.The Secretary to Government,
Energy Department,
Fort St. George, Chennai – 600 009.

Dr.ANITA SUMANTH,J.



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

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

W.P.Nos.2189, 2193, 2195 & 2198 of 2024
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