



WEB COPY

W.P.Nos.3719, 3723, 3725, 3726 and 3728



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19.02.2024

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH
W.P.Nos.3719, 3723, 3725, 3726 and 3728 of 2024
& WMP.Nos.4032, 4035, 4036, 4037 and 4038 of 2024

In W.P.No.3719 of 2024:

M/s.Sri Vignesh Yarns Pvt. Ltd.,
88(F) 17-C, Kamaraj Road,
Tirupur – 641 604
rep. by its Authorized Signatory
M.Venkatesan

... Petitioner

Vs

1. Tamil Nadu Electricity Regulatory
Commission repd. By its Secretary,
19-A, RukminiLakshmipathySalai,
(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,
Tirupur Electricity Distribution Circle,



Tirupur.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the 4th respondent and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner until the respondent makes payments of the outstanding dues of Rs.22,27,097/- (for the year of 2016-2017) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

In W.P.No.3723 of 2024:

M/s.Jayanthi Green Energy Private Limited
Amarjothi House, No.157, Kumaran Road,
Tirupur – 641 601
Repd. By its Authorized Signatory
K.Selvakumar

... Petitioner

Vs

1. Tamil Nadu Electricity Regulatory
Commission repd. By its Secretary,
19-A, RukminiLakshmipathySalai,
(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.

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

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

... 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 Group Captive consumer M/s.Amarjothi Spinning Mills Ltd. HTSC No.49094360085 until the respondents make payments of the outstanding dues of Rs.19,26,120/- (March 2020 to June 2020) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

In W.P.No.3725 of 2024:

M/s. S.S.Spinning Mills,
443/4, Kamaraj Road,
Tirupur – 641 604.
repd.its Authorized Signatory
M.Venkatesan

... Petitioner

Vs

1. Tamil Nadu Electricity Regulatory
Commission repd. By its Secretary,
19-A, RukminiLakshmipathySalai,



(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,
Tirupur Electricity Distribution Circle,
Tirupur.
5. The Superintending Engineer
TANGEDCO,
Udumalpet Electricity Distribution Circle,
Udumalpet.

... 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 respondents make payments of the outstanding dues of Rs.30,96,084/- (for the year of 2016-2018) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

In W.P.No.3726 of 2024:

M/s. Premchander Green Energy Pvt. Ltd.,
Amarjothi House, NO.157, Kumaran Road,
Tirupur – 641 601



rep. by its Authorised Signatory
Mr.K.Selvakumar

... Petitioner

WEB COPY

Vs

1. Tamil Nadu Electricity Regulatory Commission repd. By its Secretary, 19-A, RukminiLakshmipathySalai, (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, Tirunelveli Electricity Distribution Circle, Tirunelveli.
5. The Superintending Engineer TANGEDCO, Gobi Electricity Distribution Circle, Gobi.

... 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 Group Captive consumer M/s.Amarjothi Spinning Mills Ltd. HTSC No.49094360085 until the respondents make payments of the outstanding dues of Rs.17,94,426/- (March 2020 to June 2020) payable to the petitioner or give



adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

In W.P.No.3728 of 2024:

M/s. Seyadu Spinning Mills,
(A Division of Seyadu Beedi Company),
110/E/20/7, House of Seyad, North Bye Pass Road,
Vannarapettai, Tirunelveli – 627 003.

rep. by its Authorised Signatory
Mr.K.Ravi Kumar

... Petitioner

Vs

1. Tamil Nadu Electricity Regulatory
Commission repd. By its Secretary,
19-A, RukminiLakshmipathySalai,
(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,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus forbearing the 3rd and 4th respondents and



their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner until the respondents make payments of the outstanding dues of Rs.58,71,477/- (for the year 2022-2023) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

W.P.No.	For petitioner	For Respondents
3719 of 2024	Mr.M.Saravanakumar	Mr.L.Jai Venkatesh Standing Counsel
3723 of 2024	Mr.M.Saravanakumar	Ms.A.Aarthi for Mr.I.Syed Sibgathullah Standing Counsel
3725 of 2024	Mr.M.Saravanakumar	Mr.L.Jai Venkatesh Standing Counsel
3726 of 2024	Mr.M.Saravanakumar	Ms.A.Aarthi for Mr.I.Syed Sibgathullah Standing Counsel
3728 of 2024	Mr.M.Saravanakumar	Mr.L.Jai Venkatesh Standing Counsel

COMMON ORDER

Mr.L.Jai Venkatesh, learned Standing Counsel and Ms.A.Aarthi, learned counsel on behalf of Mr.Syed Sibgathullah, learned Standing Counsel accepts notice for the respondents and is armed with instructions to enable final disposal of these matters, 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.22,27,097/- (W.P.No.3719 of 2024), Rs.19,26,120/- (W.P.No.3723 of 2024), Rs.30,96,084/- (W.P.No.3725 of 2024), Rs.17,94,426/- (W.P.No.3726 of 2024) and Rs.58,71,477/- (W.P.No.3728 of 2024) is adjusted as against the consumption charges.

3. Mr.Jai Venkatesh and Ms.A.Aarthi would acquiesce to the position that the amount of Rs.22,27,097/- (W.P.No.3719 of 2024), Rs.19,26,120/- (W.P.No.3723 of 2024), Rs.30,96,084/- (W.P.No.3725 of 2024), Rs.17,94,426/- (W.P.No.3726 of 2024) and Rs.58,71,477/- (W.P.No.3728 of 2024) as quantified by the petitioners are, indeed, arrears due to the petitioners.

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, these Writ Petitions stand allowed. No costs.

Connected Miscellaneous Petitions are closed.

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Index : Yes / No

Speaking Order: Yes

Neutral Citation: Yes

To

1. Tamil Nadu Electricity Regulatory
Commission repd. By its Secretary,
19-A, RukminiLakshmipathySalai,
(Marshall's Road)
Egmore, Chennai – 600 008
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4. The Superintending Engineer
TANGEDCO,
Tirupur Electricity Distribution Circle,
Tirupur.



DR.ANITA SUMANTH, J.

sl

5. The Superintending Engineer
TANGEDCO,
Udumalpet Electricity Distribution Circle,
Udumalpet.
6. The Superintending Engineer
TANGEDCO,
Gobi Electricity Distribution Circle,
Gobi.
7. The Superintending Engineer
TANGEDCO,
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Tirunelveli.

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