



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.02.2024

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.4573 of 2024

& WMP.No.4991 of 2024

M/s. Sri Saradhambika Spintex P. Ltd.,
Soldar HTSC No.079514700425,
SF No.88/2, MTP Road,
Narasimhanaickenpalayam,
Coimbatore – 641 031.
rep. by its Authorized Signatory
M.Arulanandam

... 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 Chief Engineer
Non Conventional Energy Sources,
Tamil Nadu Generation and Distribution



Corporation Limited, 144, Anna Salai,
Chennai – 600 002.

4 The Superintending Engineer,
TANGEDCO,
Coimbatore North Electricity Distribution Circle,
Coimbatore.

... 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's HTSC No.039094300101 till the entire outstanding dues of Rs.20,80,000/- payable to the petitioner towards refundable security deposit in the account of the petitioner's Solar Power Plant HTSC No.079514700425 is paid 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.D.R.Arun Kumar
Standing Counsel

ORDER

Mr.D.R.Arun Kumar, 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.20,80,000/- is adjusted as against the consumption charges.

3. Mr.D.R.Arun Kumar would acquiesce to the position that the amount of Rs.20,80,000/- 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.

23.02.2024

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Index : Yes / No

Speaking Order:Yes

Neutral Citation:Yes



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W.P.No.4573



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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