



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 26.02.2024

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.Nos.4832 and 4834 of 2024& WMP.Nos.5271 and 5274 of 2024

M/s.Jayanthi Wind Farms Pvt. Ltd.,
Amarjothi House,
No.157, Kumaran Road,
Tirupur – 641 601
Coimbatore District.
rep. by its Authorized Signatory
K.Selvakumar

... Petitioner in W.P.No.4832 of 2024

M/s.Kanagathara Wind Farms,
Amarjothi House,
No.157, Kumaran Road,
Tirupur – 641 601
rep. by its Authorized Signatory
K.Selvakumar

... Petitioner in W.P.No.4834 of 2024

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,
Tuticorin Electricity Distribution Circle,
Tuticorin.

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

... Respondents in both W.Ps

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents 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.1,89,493/- (June, 2023 to September, 2023) and Rs.5,87,399/- (June 2023 to July 2023) payable to the petitioners or give adjustment in the current consumption charges payable by the petitioners till the entire amount is adjusted.

In both W.Ps

For Petitioner : Mr.M.Saravanakumar
For Respondents : Mr.Syed Sibgathulla
Standing Counsel

COMMON ORDER

Mr.Syed Sibgathulla, 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.1,89,493/- (W.P.No.4832 of 2024) and Rs.5,87,399/- (W.P.No.4834 of 2024) is adjusted as against the consumption charges.



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3. Mr.Syed would acquiesce to the position that the amount of Rs.1,89,493/- (W.P.No.4832 of 2024) and Rs.5,87,399/- (W.P.No.4834 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.

26.02.2024

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



DR.ANITA SUMANTH, J.
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3. Director Finance
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
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