



WEB COPY

W.P.No.6828 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.03.2024

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P.No.6828 of 2021 and
WMP.No.7381 of 2021

Kesharinandan Knit Fabrics (P) Ltd HTSC
Pudupalayam Village, Avanshi Road
Pudupalayam, Tiruppur 641 654
rep.by its Authorized signatory
S.Paramasivam

... Petitioner

vs.

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

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

...Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India 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. 9,92,260/- (for the year of 2017-18)payable to the Petitioner or give adjustment in the current Consumption charges payable by the Petitioner till the entire amount is adjusted and pass.

For Petitioners : Mr.R.S.Pandiyaraj

For Respondents : Mr.D.Arun Kumar
Standing Counsel

ORDER

Heard R.S.Pandiyaraj, learned counsel for the petitioner and Mr.D.Arun Kumar, learned Standing Counsel for the respondents/TANGEDCO.

2. The legal issue raised in this writ petition is squarely covered by the decision of this Court, in the case M/s.Rajaguru Spinning Mills P.Ltd., ***vs. The Tamil Nadu Electricity Regulatory Commissioner rep.by its Secretary and Others W.P.No.6776 of 2020 and batch etc.,*** wherein, an identical issue was considered by this Court and it was held as follows:-

"11. In view of the above, all these Writ Petitions are Disposed of with the following directions:~

(a) In all those cases where the TANGEDCO has



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acted upon the interim orders passed by this Court and the entire outstanding amounts due and payable has been adjusted, those writ petitions will be rendered infructuous since the grievance of those petitioners stands redressed;

(b) In those cases where the TANGEDCO is in the process of adjusting the outstanding amount due, such adjustment shall be continued till the entire outstanding amount is adjusted towards the current consumption charges / open access charges payable by the respective petitioners and

(c) The TANGEDCO shall not take any coercive steps to disconnect the electricity connection to the petitioners until the outstanding amounts due and payable is completely adjusted towards the current consumption charges/ open access charges payable by the petitioners."

3. Thus, following the above decision, the Writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

14.03.2024

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J.NISHA BANU, J.

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To
1.The Tamil Nadu Electricity Regulatory



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