



WEB COPY

W.P.Nos.5791 & 5793 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.03.2024

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.Nos.5791 & 5793 of 2024
and
W.M.P.Nos. 6424 & 6425 of 2024

Sri Jaya Maaruthi Yarn India P Ltd.,
S.F.No.162/1, NH 47, Pachampalayam,
Sankari West – 637 303,
Komarapalayam Taluk,
Rep. by its Director V.Suresh Kumar

.. Petitioner in both WPs

VS

1. 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,
Namakkal Electricity Distribution Circle,
Namakkal.

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

.... Respondents in both WPs

PRAYER in W.P.No.5791 of 2024: Writ Petition 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 petitioner H.T.Sc.No.049094370473 until the Respondents makes payment of the outstanding dues of Rs.5,95,251/- for the year of 2022–2023 payable to the Petitioner or give adjustment in the current consumption charges payable by the Petitioner till the entire amount is adjusted.

PRAYER in W.P.No.5793 of 2024: Writ Petition 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 petitioner H.T.Sc.No.049094370473 until the Respondents makes payment of the outstanding dues of Rs.1,84,925/- for the year of 2022–2023 payable to the Petitioner or give adjustment in the current consumption charges payable by the Petitioner till the entire amount is adjusted.



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W.P.Nos.5791 & 5793 of.



(in both WPs)

For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.S.Kalaiselvan

(in both WPs) Standing Counsel

COMMON ORDER

Mr.S.Kalaiselvan, 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.5,95,251/- (W.P.No.5791 of 2024) and Rs.1,84,925/- (W.P.No.5793 of 2024) is adjusted as against the consumption charges.

3. Mr.S.Kalaiselvan would acquiesce to the position that the amount of Rs.5,95,251/- (W.P.No.5791 of 2024) and Rs.1,84,925/- (W.P.No.5793 of 2024) 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, these Writ Petitions stand allowed. No costs.

Connected Miscellaneous Petitions are closed.

06.03.2024

Index : Yes/No

Speaking order

Neutral Citation:Yes

vs

- 1.The Secretary,
Tamil Nadu Electricity Regulatory Commission
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.The Director Finance
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai,Chennai – 600 002.
- 4.The Superintending Engineer,
TANGEDCO, Namakkal Electricity Distribution Circle,
Namakkal.
- 5.The Superintending Engineer,
TANGEDCO, Tirunelveli Electricity Distribution Circle,
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DR.ANITA SUMANTH, J.

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