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W.P.Nos.6011, 6017, 6019 & 6023 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.Nos. 6011, 6017, 6019 & 6023 of 2024

and

W.M.P.Nos. 6654, 6660, 6661 & 6663 of 2024

W.P.No.6011 of 2024

Tirupur Textiles Private Limited
Post Box No. 153,
Annuparpalayam, Velampalayam Village,
Tirupur District,
Rep. By its Chief Executive,
K.Devarajan

.. Petitioner

VS

- 1.Tamil Nadu Electricity Regulatory Commission
Rep. 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, Tiruppur Electricity Distribution Circle,
Tiruppur.
- 5.The Superintending Engineer,



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TANGEDCO,
Coimbatore Electricity Distribution Circle South
Coimbatore.

6.The Superintending Engineer,
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam

.. Respondents

W.P.No.6017 of 2024

Aruna Mills,
246-B Kovi Road, Velagoundampalayam,
Uppupalayam Post,
Vellakovil – 638 111
Kangayam Taluk, Tirupur District,
Rep. By its Managing Partner S.Elango.

.. Petitioner

VS

1.Tamil Nadu Electricity Regulatory Commission
Rep. 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, Palladam Electricity Distribution Circle,
Palladam.

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



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6.The Superintending Engineer,
TANGEDCO,
Tuticorin Electricity Distribution Circle,
Tuticorin.

.. Respondents

W.P.No.6019 of 2024

Sree Ayyanar Spinning and Weaving Mills Ltd.,
Mallanginar,
Viruthunagar – 625 701
Rep. By its Company Secretary N.Selvaraj

.. Petitioner

VS

1.Tamil Nadu Electricity Regulatory Commission
Rep. 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, Virudhunagar Electricity Distribution Circle,
Virudhunagar.

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

.. Respondents

W.P.No.6023 of 2024

Tirupur Textiles Private Limited Unit 2,



W.P.Nos.6011, 6017, 6019 & 6023 of 2024

1486, Avinashi Road,
Peelamedu,
Coimbatore – 641 004

Rep. By its Chief Executive K.Devarajan

.. Petitioner

VS

1.Tamil Nadu Electricity Regulatory Commission

Rep. 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, Coimbatore Metro Electricity Distribution Circle,
Coimbatore.

5.The Superintending Engineer,

TANGEDCO,
Coimbatore South Electricity Distribution Circle,
Coimbatore.

.. Respondents

Prayer in W.P.No.6011 of 2024: 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 Respondent makes payment of the outstanding dues of Rs.1,22,20,789/- (for the year 2021- 2023) payable to the petitioner HSTC No.039094380001 and 039094380006 or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

Prayer in W.P.No.6017 of 2024: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus



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forbearing the respondent and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner H.T.Sc.No.039094390624 until the respondent makes payment of the outstanding dues of Rs.19,41,133/- (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.

Prayer in W.P.No.6019 of 2024: 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 respondent makes payment of the outstanding dues of Rs.71,87,936/- (for the year 2021 – 23) payable to the petitioner or give adjustment in the current consumption charges payable to the petitioner till the entire amount is adjusted.

Prayer in W.P.No.6023 of 2024: 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 until the respondent makes payment of the outstanding dues of Rs.1,17,458/- (for the year 2021 – 23) payable to the petitioner or give adjustment in the current consumption charges payable to the petitioner till the entire amount is adjusted.

For Petitioner : Mr.M.Saravanakumar
(in all writ petitions)

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel
(in W.P.Nos. 6011, 6017 & 6023/24)

Mr.Madhusudanan
Standing Counsel
(in W.P.No.6019/24)



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COMMON ORDER

Mr.L.Jai Venkatesh, learned Standing Counsel and Mr.Madhusudanan, 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.1,22,20,789/- (W.P.No.6011 of 2024), Rs.19,41,133/- (W.P.No.6017 of 2024), Rs.71,87,936/- (W.P.No.6019 of 2024), and Rs.1,17,458/- (W.P.No.6023 of 2024) is adjusted as against the consumption charges.

3. Mr.Jai Venkatesh and Mr.Madhusudanan, would acquiesce to the position that the amount of Rs.1,22,20,789/- (W.P.No.6011 of 2024), Rs.19,41,133/-(W.P.No.6017 of 2024), Rs.71,87,936/- (W.P.No.6019 of 2024), and Rs.1,17,458/- (W.P.No.6023 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



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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.

07.03.2024

Index:Yes/No
Neutral Citation:Yes
ssm

To

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Tamil Nadu Electricity Regulatory Commission
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DR. ANITA SUMANTH,J.

ssm

W.P.No.6011, 6017, 6019 & 6023 of 2024

07.03.2024