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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20.03.2024

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.Nos.7546 and 7555 of 2024
& WMP.Nos.8466 and 8470 of 2024

Dalmia Laminator's Ltd.,
Plot – RS & R7, SIPCOT,
Gummidipoondi,
Tiruvallur District – 601 201
rep. by its Vice President P.M.Baro

... Petitioner in W.P.No.7546 of 2024

Sri Ranganathar Industries Pvt. Ltd.
H.T.Sc.No.039094300121,
12/45, Thadagam Rod, Edapalayam,
Coimbatore
rep. by its Group Manager Sri.S.Pandi.

... Petitioner in W.P.No.7555 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.

<https://www.mhc.tn.gov.in/>

... Respondents in both W.Ps



4. The Superintending Engineer
TANGEDCO,
Chennai/North Electricity Distribution Circle,
Chennai.

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

.... Respondents in W.P.No.7546 of 2024

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

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

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

.... Respondents in W.P.No.7555 of 2024

PRAYER in W.P.No.7546 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 until the respondents make payments of the outstanding dues of Rs.47,30,552/- (for the year 2016-2018) payable to the petitioner HTSC Nos.019094041851 & 019094041963 or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.



PRAYER in W.P.No.7555 of 2024: 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 petitioner H.T.Sc.No.039094300121 until the respondents make payments of the outstanding dues of Rs.2,15,73,229/- towards cost of the surplus wind energy sold to the respondents (from September 2014 to October 2016) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

In both W.Ps
For Petitioner : Mr.S.P.Parthasarathy
For Respondents : Mr.L.Jai Venkatesh
Standing Counsel

COMMON ORDER

Mr.L.Jai Venkatesh, 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.47,30,552/- (W.P.No.7546 of 2024) and Rs.2,15,73,229/- (W.P.No.7555 of 2024) is adjusted as against the consumption charges.

3. Mr.Jai Venkatesh would acquiesce to the position that the amount of Rs.47,30,552/- (W.P.No.7546 of 2024) and Rs.2,15,73,229/- (W.P.No.7555 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.

20.03.2024

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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
3. Director Finance
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W.P.Nos.7546 and 7555



Dr.ANITA SUMANTH,J.

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