



WEB COPY

W.P.Nos.7720 and 7724 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.03.2024

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.Nos.7720 and 7724 of 2024
& WMP.Nos.8635, 8636, 8637 and 8638 of 2024

Govaan Steel (P) Ltd.,
S.F.No.544/1, 2, 3, Sengalipalayam Pirivu,
Chinnakanur (PO)
Kanur Village, Annur – 641 655
rep. by its Authorized Signature
U.Ramamurthi

... Petitioner in W.P.No.7720 of 2024

KRG Textile Mills Pvt. Ltd.,
Unit 2, HTSC. No.039094390543
6/207A Rangasamuthir,
Thirampanikkampatty Post
Palladam – 641 664
Tirupur District
rep. by its Authorized Signature
P.Vadivel

... Petitioner in W.P.No.7724 of 2024

Vs

1.The State of Tamil Nadu,
Rep. By its Secretary to Government,
Energy Department, Fort St. George,
Chennai – 600 009.

2.The Chairman and Managing Director,
TANGEDCO Ltd.,
144, Anna Salai, Chennai-600 002

.... Respondents in both W.P.'s

3.The Accounts Officer/Revenue



W.P.Nos.7720 and 7724 of 2024

The Superintending Engineer Office,
Tirupur Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Tirupur.

.... Respondent in W.P.No.7720 of 2024

3.The Accounts Officer/Revenue

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

.... Respondent in W.P.No.7724 of 2024

COMMON PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the 2nd and 3rd respondents, from demanding and collecting the tax on maximum demand charges from the petitioners in H.T.Sc.No.039094380229 (W.P.No.7720 of 2024) H.T.Sc.No.039094390543 (W.P.No.7724 of 2024), as per the orders of the Hon'ble Supreme Court of India, New Delhi on 31.8.2012 in SLP (C)No.24993 of 2012 and 25522 of 2012 etc. Batch in M/s.Sri Krishna Alloys & Etc. Vs. Union of India and others etc.

(in both W.P.'s)

For Petitioner

: Mr.M.Saravana Kumar

For Respondents

: Mr.S.Balamurugan - R1

Government Advocate

: Mr.I.Syed Sibgathulla - R2 & R3

COMMON ORDER

Mr.I.Syed Sibgathulla, learned counsel, who accepts notice for R2 and R3/officials of Tangedco would accede to the position that the prayer sought for by the petitioners being a writ of Mandamus forbearing R2 and R3 from demanding and collecting tax in maximum demand charges in



W.P.Nos.7720 and 7724 of 2024

H.T.Sc.No.039094380229 (W.P.No.7720 of 2024) H.T.Sc.No.039094390543

(W.P.No.7724 of 2024) is liable to be accepted.

2. My attention is drawn by both learned counsel to orders of the Hon'ble Supreme Court in SLP (C) No. 24993 of 2012 and 25522 of 2012 dated 31.08.2012 [*M/s.Sri Krishna Alloys & Etc Vs Union of India and others etc*], which has been followed subsequently by this Court, where under the respondents have been restrained from taking any coercive steps from disconnection of supply of electricity subject to the petitioner paying all charges barring tax on the basis of maximum demand. Following that order this Court has routinely been allowing similar writ petitions (see order dated 25.08.2021 in W.P.No.9090 of 2020 and batch *M/s.Lucky Weaves India P Ltd v State of Tamil Nadu and others* and order dated 17.11.2021 in W.P.No.24336 of 2021 and batch *SJLT Spinning Mills Private Ltd Unit II vs State of Tamil Nadu and others*).

3. In light of the same, the prayer of the writ petitioners is liable to be acceded to and mandamus is issued as sought for. It is made clear that barring the maximum demand charges, the petitioners shall ensure payment of all other charges.

Dr.ANITA SUMANTH,J.



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4. Writ Petitions stand allowed in terms of this order. No costs.

Connected Miscellaneous Petitions are closed.

21.03.2024

Index : Yes / No

Speaking order

Neutral citations: Yes

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To

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