



WEB COPY

W.P.Nos.8531, 8534 & 8539 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2024

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

**W.P.Nos.8531, 8534 & 8539 of 2024
& WMP.No.9556 of 2024**

Madhav Marbles & Granites Ltd.,
Near Thopur Check Post,
Dharmapuri District – 636 352
repd by its Senior Manager Rajkumar S
.... Petitioner in W.P.No.8531 of 2024

Sri Ranganathar Industries Pvt Ltd,
H.T.Sc.No.039094300121,
12/45, Thadagam Road, Edayarpalayam,
Coimbatore
Repd. by its Group Manager
Sri S.Pandi
.... Petitioner in W.P.No.8534 of 2024

Sri Ranganathar Valves Pvt Ltd.,
H.T.Sc.No.039094320195.,
Regd. Office
12/45, Thadagam Road, Edayarpalayam,
Coimbatore
Repd. by its Group Manager
Sri S.Pandi
.... Petitioner in W.P.No.8539 of 2024

Vs

1. Tamil Nadu Electricity Regulatory
Commission repd. By its Secretary,
19-A, RukminiLakshmipathySalai,



W.P.Nos.8531, 8534 & 8539 of 2024

(Marshall's Road)
Egmore, Chennai – 600 008.

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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.

.... Respondents in all W.P.'s

4.The Superintending Engineer,
TANGEDCO,
Dharmapuri Electricity Distribution Circle,
Dharmapuri.

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

.... Respondents in W.P.No.8531 of 2024

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

.... Respondent in W.P.No.8534 of 2024

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

.... Respondent in W.P.No.8539 of 2024

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



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

.... Respondents in W.P.Nos.8534 & 8539 of 2024

Prayer in W.P.No.8531 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 H.T.Sc. No.039094200522 until the respondents makes payment of the outstanding dues of Rs.1,06,45,139/- (for the year of 2016-2023 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.8534 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 H.T.Sc. No.039094300121 until the respondents makes payment of the outstanding dues of Rs.1,35,26,635/- towards cost of the surplus Wind energy sold to the respondents (for the year of 2016-2022 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.8539 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 H.T.Sc. No.039094320195 until the respondents makes payment of the



W.P.Nos.8531, 8534 & 8539 of 2024

outstanding dues of Rs.1,79,75,127/- towards cost of the surplus Wind energy sold to the respondents (from November 2015 to April 2023) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

In all W.P.'s

For Petitioners : Mr.M.Saravanakumar

For Respondents

In W.P.No.8531 of 2024 : Mr.S.Madhusudanan
Standing Counsel

In W.P.Nos.8534 & 8539
of 2024 : Mr.L.Jai Venkatesh
Standing Counsel

COMMON ORDER

Mr.S.Madhusudanan, learned Standing Counsel accepts notice for the respondents in W.P.No.8531 of 2024 and Mr.L.Jai Venkatesh, learned Standing Counsel accepts notice for the respondents in W.P.Nos.8534 and 8539 of 2024. They are 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



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Rs.1,06,45,139/- (W.P.No.8531 of 2024), Rs.1,35,26,635/-

(W.P.No.8534 of 2024) and Rs.1,79,75,127/- (W.P.No.8539 of 2024) are

adjusted as against the consumption charges.

3. Mr.Madhusudanan and Mr.Jai Venkatesh would acquiesce to the position that the amount of Rs.1,06,45,139/- (W.P.No.8531 of 2024), Rs.1,35,26,635/- (W.P.No.8534 of 2024) and Rs.1,79,75,127/- (W.P.No.8539 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.

27.03.2024

Index:Yes/No
Speaking order
Neutral Citation:Yes
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To

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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
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Tirunelveli.
6. The Superintending Engineer,
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Coimbatore North Electricity Distribution Circle,
Coimbatore.
7. The Superintending Engineer,
TANGEDCO,
Coimbatore South Electricity Distribution Circle,
Coimbatore.
8. The Superintending Engineer,



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TANGEDCO,
Udumalpet Electricity Distribution Circle
Udumalpet.

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



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W.P.Nos.8531, 8534 & 8539 of 2024

Dr.ANITA SUMANTH,J.

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**W.P.Nos.8531, 8534 & 8539 of 2024
& WMP.Nos.9474, 9478 & 9481 of 2024**

27.03.2024