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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.06.2024

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.Nos.14545, 14546 and 14547 of 2024

& WMP.Nos.15839, 15844 and 15846 of 2024

M/s. Sri Mahalakshmi Dairy Pvt Ltd
HTSC.039094350222
No.158-A, Vysial Street
Coimbatore – 641001
Repd. by its Authorized Signatory C, K.Iyappan

... Petitioner in W.P.No.14545 of 2024

Muthur Murugan Mills Ltd,
SF 618 Karegoundem Palayam,
Near Annur Powerhouse,
Annur, Coimbatore – 641697,
Repd. by its authorized signatory C, K.Iyappan

... Petitioner in W.P.No.14546 of 2024

Sri Kannika Parameswari Stores,
HTSC No.029094160094
Door No.84 Kamarajar Street,
Villupuram
Repd. by its Authorized Signatory Gunasekaran Mannar

... Petitioner in W.P.No.14547 of 2024

Vs

1. Tamil Nadu Electricity Regulatory
Commission repd. By its Secretary,
19-A, Rukmini LakshmipathySalai,
(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.

... Respondents in all W.Ps

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

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

.... Respondents in W.P.No.14545 of 2024

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

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

.... Respondents in W.P.No.14546 of 2024

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

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

.... Respondents in W.P.No.14547 of 2024



PRAYER in W.P.No.14545 of 2024: Writ 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 4th respondent makes payment of the outstanding dues of Rs.17,22,510/- (for the year 2023-2024) 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.14546 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 until the respondents make payments of the outstanding dues of Rs.2,69,039/- (for the year of 2023-2024) 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.14547 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 until the respondents makes payment of the outstanding dues of Rs.11,58,773/- (for the year of 2023-2024) 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.Ps

For Petitioner : Mr.Ali Hassan Khan

For Respondents : Ms.Sindhuza

for Mr.L.Jai Venkatesh



Ms.Sindhuza, learned counsel appearing on behalf of Mr.L.Jai Venkatesh, learned 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.17,22,510/- (W.P.No.14545 of 2024), Rs.2,69,039/- (W.P.No.14546 of 2024) and Rs.11,58,773/- (W.P.No.14547 of 2024) is adjusted as against the consumption charges.

3. Ms.Sindhuza would acquiesce to the position that the amount of Rs.17,22,510/- (W.P.No.14545 of 2024), Rs.2,69,039/- (W.P.No.14546 of 2024) and Rs.11,58,773/- (W.P.No.14547 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.



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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, 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, Karur Electricity Distribution Circle, Karur.
6. The Superintending Engineer TANGEDCO, Coimbatore North Electricity Distribution Circle, Coimbatore.
7. The Superintending Engineer TANGEDCO, Palladam Electricity Distribution Circle, Palladam.



W.P.Nos.14545, 14546 and 14547



8. The Superintending Engineer
TANGEDCO,
Villupuram Electricity Distribution Circle,
Villupuram.



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Dr.ANITA SUMANTH,J.

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04.06.2024