



WEB COPY

W.P.Nos.15364, 15368, 15372, 15375 and 15376 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Dated: 13.06.2024

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**THE HONOURABLE DR. JUSTICE ANITA SUMANTH**

**W.P.Nos.15364, 15368, 15372, 15375 and 15376 of 2024**  
**& WMP.Nos.16689, 16691, 16697, 16699, 16701, 16702, 16706, 16707,**  
**16708 and 16709 of 2024**

Santha Spinning Mills Pvt. Ltd.,  
119C, Selvapuram Colony,  
Somanur, Coimbatore – 641 668  
rep. by its Authorised Signatory  
P.Senthilkumar

... Petitioner in W.P.No.15364 of 2024

Murugan Weaving Mills  
HTSC.No.039094390742  
140.141, Vadhambacherry Road,  
Kethanur, Palladam – 641 671  
Palladam  
rep. by its Partner P.Vignesh

... Petitioner in W.P.No.15368 of 2024

M/s.VP Tex Pvt. Ltd., Unit II  
HTSC 049094370569  
451/1 VP Building, Vedyarasanpalayam  
Pallipalayam, Namakkal  
rep. by its Authorized Signatory  
Kirankumar Vasudevan

.... Petitioner in W.P.No.15372 of 2024

AC Textiles Mills,  
HTSC No.039094390524  
D.No.178/1, 2, Kudiyana Thottam,  
Rasa Goundenpalayam, Manikkapuram Road,



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Kalivelampatti Post, Palladam Taluk,  
Tirupur – 641 664

rep. by its Joint Managing Director Ranjit

.... Petitioner in W.P.No.15375 of 2024

M/s.SCM Mills

(A unit of KTM Jewellery Ltd

HTSC.No.049094360151)

No.90/1-13, 173/1-5, Akkaraipalayam Road

Thalguni Village, Kolappalur

Gobichettipalayam

rep. by its Authorized Signatory J.Vijayakumar

.... Petitioner in W.P.No.15376 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 all W.P.'s

3.The Superintending Engineer,

Coimbatore South Electricity Distribution Circle,

Tamil Nadu Generation and Distribution

Corporation Limited (TANGEDCO),

Coimbatore.

.... Respondent in W.P.No.15364 of 2024

3.The Superintending Engineer,

Palladam Electricity Distribution Circle,

Tamil Nadu Generation and Distribution

Corporation Limited (TANGEDCO),



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Palladam.

.... Respondent in W.P.Nos.15368 & 15375 of 2024

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3.The Superintending Engineer,  
Namakkal Electricity Distribution Circle,  
TANGEDCO, Namakkal.

.... Respondent in W.P.No.15372 of 2024

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

.... Respondent in W.P.No.15376 of 2024

**COMMON PRAYER:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the 2<sup>nd</sup> and 3<sup>rd</sup> respondents, from demanding and collecting the tax on maximum demand charges from the petitioner in H.T.Sc.No.039094320895 (W.P.No.15364 of 2024), H.T.Sc.No.039094390742 (W.P.No.15368 of 2024), H.T.Sc No. 049094370569 (W.P.No.15372 of 2024) H.T.Sc.No.039094390524 (W.P.No.15375 of 2024) and H.T.Sc.No.049094360151 (W.P.No.15376 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 all W.P.'s)

For Petitioner

For Respondents

: Mr.M.Saravana Kumar

: Mr.P.Harish

Government Advocate - R1

: Mr.Enock Anand

for Mr.L.Jai Venkatesh – R2 & R3

(W.P.Nos.15364 and 15368 of 2024)



W.P.Nos.15364, 15368, 15372, 15375 and 15376 of 2024

Mr.S.Kalaiselvan – R2 & R3

(W.P.No.15372 of 2024)

Mr.I.Syed Sibgathulla - R2 & R3

(W.P.No.15376 of 2024)

Mr.Madhusudhanan – R2 & R3

(W.P.No.15375 of 2024)

### **COMMON ORDER**

Mr.Enock Anand, learned counsel appearing on behalf of Mr.L.Jai Venkatesh, learned counsel, Mr.S.Kalaiselvan, learned counsel, Mr.I.Syed Sibgathulla, learned counsel, Mr.Madhusudhanan, learned counsel who accepts notice for R2 and R3/officials of Tangedco, respectively 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 H.T.Sc.No.039094320895 (W.P.No.15364 of 2024), H.T.Sc.No.039094390742 (W.P.No.15368 of 2024), H.T.Sc No. 049094370569 (W.P.No.15372 of 2024) H.T.Sc.No.039094390524 (W.P.No.15375 of 2024) and H.T.Sc.No.049094360151 (W.P.No.15376 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



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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.

4. Writ Petitions stand allowed in terms of this order. No costs. Connected Miscellaneous Petitions are closed.

13.06.2024

Index : Yes / No

Speaking order/Non-Speaking order

Neutral citations: Yes/No

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To

- 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
- 3.The Superintending Engineer,  
Coimbatore South Electricity Distribution Circle,  
Tamil Nadu Generation and Distribution  
Corporation Limited (TANGEDCO),  
Coimbatore.
- 4.The Superintending Engineer,  
Palladam Electricity Distribution Circle,  
Tamil Nadu Generation and Distribution  
Corporation Limited (TANGEDCO),  
Palladam.
- 5.The Superintending Engineer,  
Namakkal Electricity Distribution Circle,  
TANGEDCO, Namakkal.
- 6.The Superintending Engineer,  
Gobi Electricity Distribution Circle,  
Tamil Nadu Generation and Distribution  
Corporation Limited (TANGEDCO),  
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**Dr.ANITA SUMANTH,J.**

SI

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