



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.07.2024

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.18810 of 2024
& WMP.No.20640 of 2024

Nalco Metal Products Limited
represented by its Chief Executive Officer,
Mr.Kasirajan.A
No.89, Maravankulam, Thirumangalam 625 706
Madurai District, Tamil Nadu

... Petitioner

Vs

- 1 The Tamil Nadu Generation and Distribution Corporation Limited, (TANGEDCO)
represented by its Chairman & Managing Director,
144, Anna Salai, Chennai – 600 002.
- 2 Director – Finance,
The Tamil Nadu Generation and Distribution Corporation Limited, 144, Anna Salai,
Chennai – 600 002.
- 3 The Chief Financial Controller, (Revenue)
The Tamil Nadu Generation and Distribution Corporation Limited, 144, Anna Salai,
Chennai – 600 002.
- 4 The Superintending Engineer, (TANGEDCO),
Dindigul Electricity Distribution Circle,
Dindigul, Tamil Nadu.
- 5 The Superintending Engineer, (TANGEDCO),



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Kanyakumari Electricity Distribution Circle,
Kanyakumari, Tamil Nadu.

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.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents and their men, agents not to collect current consumption charges, demand charges and any arrears from the petitioner for the consumption in HTSC.No.059094500028 till the payment or adjustment of the entire outstanding dues of Rs.2,00,852/- payable to the petitioner towards sale of surplus units of wind energy generated by the petitioner's WEG bearing HTSc.No.079204740105 is either paid or adjusted by the 4th respondent herein, in terms of the Energy Wheeling Agreement dated 05.11.2009 entered into by the petitioner and also based on the judgment of this Hon'ble Court in W.P.No.6776 of 2020 batch and pay further interest at 12% on such dues till the full payment or adjustment.

For Petitioner	: Mr.Rahul Balaji
For Respondents	: Mr.Madhusudanan Standing Counsel

ORDER

Mr.Madhusudanan, learned counsel accepts notice for the respondents and is armed with instructions to enable final disposal of this matter, 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



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charges till the entirety of the outstanding dues of Rs.2,00,852/- is adjusted in terms of the Energy Wheeling Agreement dated 05.11.2009.

3. Mr.Madhusudanan would acquiesce to the position that the amount of Rs.2,00,852/- as quantified by the petitioner is, indeed, arrears due to the petitioner.

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, this Writ Petition stands allowed. No costs. Connected Miscellaneous Petitions is closed.

15.07.2024

Index : Yes / No

Speaking order

Neutral citations:Yes

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(2/2)

Dr.ANITA SUMANTH,J.



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