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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.07.2024

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.Nos.18255, 18264 and 18268 of 2024
& WMP.Nos.20040, 20044 and 20050 of 2024

M/s.Bhuvaneswari Cotspin India Private Limited.,
HTSC No.039094390405 & 039094390492,
S.F.No.839, 840 and 846,
Tirupur to Kangayam Main Road,
Perumalmalai, Arasampalayam (po), Kangayam,
Tirupur by its Authorised Signatory T.Vijayakumar

... Petitioner in W.P.No.18255 of 2024

M/s. Shrini Softex India Ltd.,
HTSC No.039094380221
S.F.No.24/1B1, 24/2B, Sathy Main Road,
Annur-641 653, Coimbatore District.
Repd. by its Authorized Signatory
K.Dinesh Prabhu

... Petitioner in W.P.No.18264 of 2024

Sri Subam Textiles
3/1149, Attampalayam,
Velayuthampalayam (PO),
Kovai Main Road, Avinashi – 641 654
repd. its Authorized Signatory P.S.Eswaran

... Petitioner in W.P.No.18268 of 2024
Vs

1. Tamil Nadu Electricity Regulatory
Commission repd. By its Secretary,
19-A, Rukmini LakshmipathySalai,
(Marshall's Road)
Egmore, Chennai – 600 008.

<https://www.mhc.tn.gov.in/judis>

2. The Chairman,



Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002

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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,
Palladam Electricity Distribution Circle,
Palladam.

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

.... Respondents in W.P.No.18255 of 2024

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

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

.... Respondents in W.P.No.18264 of 2024

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

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

.... Respondents in W.P.No.18268 of 2024



PRAYER in W.P.No.18255 of 2024: Writ 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 HTSC No.039094390405 & 039094390492 until the respondents makes payment of the outstanding dues of Rs.43,51,481/- (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.18264 of 2024: Writ 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 until the respondents makes payment of the outstanding dues of Rs.14,38,188/- (from June and July 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.18268 of 2024: Writ 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 HTSC No.49094360162 until the respondents makes payment of the outstanding dues of Rs.59,23,994/- (for the months from of July 2019 to July 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.Ps
For Petitioner

: Mr.M.Saravanakumar



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For Respondents
in W.P.Nos.18255 & 18264 of 2024 : Mr.L.Jai Venkatesh
Standing Counsel
in W.P.No.18268 of 2024 : Mr.I.Syed Sibghatulla

COMMON ORDER

Mr.L.Jai Venkatesh, learned Standing Counsel accepts notice for the respondents in W.P.Nos.18255 and 18264 of 2024 and Mr.I.Syed Sibghatulla, learned Counsel accepts notice for the respondents in W.P.No.18268 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 Rs.43,51,481/- (W.P.No.18255 of 2024), Rs.14,38,188/- (W.P.No.18264 of 2024) and Rs.59,23,944/- (W.P.No.18268 of 2024) is adjusted as against the consumption charges.

3. Mr.Jai Venkatesh and Mr.Syed Sibghatulla would acquiesce to the position that the amount of Rs.43,51,481/- (W.P.No.18255 of 2024), Rs.14,38,188/- (W.P.No.18264 of 2024) and Rs.59,23,944/- (W.P.No.18268 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.

04.07.2024

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



Theni.

6. The Superintending Engineer
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Tirupur Electricity Distribution Circle,
Tirupur.
7. The Superintending Engineer
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Dindigul Electricity Distribution Circle,
Dindigul.
8. The Superintending Engineer
TANGEDCO,
Gobi Electricity Distribution Circle,
Gobi.

Dr.ANITA SUMANTH,J.

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& WMP.Nos.20040, 20044 and 20050 of 2024

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