



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.07.2024

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**
W.P.Nos.19073, 19077 and 19082 of 2024
& WMP.Nos.20928, 20931 and 20933 of 2024

Tirupur Vijayalakshmi Spinning Mills,
HT SC No.049094360111
s.F.No.35, 36, Polavapalayam, Gobi (T.K.)
Erode (D.T.), Nambiyur – 638 458
Tirupur rep. by its Authorized Signatory
Rajesh Antony

... Petitioner in W.P.No.19073 of 2024

Samrakshna Property Services Pvt. Ltd.,
F.39, 1st Floor, Spencer Plaza, Phase 1,
769, Anna Salai, Chennai – 600 002.
rep. by its Authorized Signatory
R.Prabakaran

... Petitioner in W.P.No.19077 of 2024

M/s. Karur Cotton Mills (P) Ltd.,
20/1, Bharathi Nagar West,
Valayapuri Nagar, Karur – 639 002
rep. by its Managing Director
V.Sudhakar

... Petitioner in W.P.No.19082 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 the above W.Ps

4. The Chief Financial Controller,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002.

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

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

.... Respondents in W.P.No.19073 of 2024

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

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

.... Respondents in W.P.No.19077 of 2024

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



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

.... Respondents in W.P.No.19082 of 2024

PRAYER in W.P.No.19073 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 make payment of the outstanding dues of Rs.16,70,575/- (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.19077 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's group captive consumer M/s.Plaza Maintenance and Service Ltd. Is having HTSC No.019094022418 until the respondents make payment of the outstanding dues of Rs.22,72,935/- (for the year of 2021-2023) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner's group captive consumer M/s.Plaza Maintenance and Service Ltd. Is having HTSC No.019094022418 till the entire amount is adjusted.

PRAYER in W.P.No.19082 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 make payment of the outstanding dues of Rs.14,84,968/- (for the year of 2022-2024)



payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

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In all W.Ps

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.Syed Sibghatullah (W.P.No.19073 of 2024)
for Mr.L.Jai Venkatesh (W.P.Nos.19077 &
19082 of 2024)

COMMON ORDER

Mr.Syed Sibghatullah, learned Counsel accepts notice for the respondents in W.P.No.19073 of 2024 and Mr.L.Jai Venkatesh, learned Counsel accepts notice for the respondents in W.P.Nos.19077 and 19082 of 2024 and 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.16,70,575/- (W.P.No.19073 of 2024), Rs.22,72,935/- (W.P.No.19077 of 2024) and Rs.14,84,968/- (W.P.No.19082 of 2024) are adjusted as against the consumption charges.

3. Mr.Syed and Mr.Jai Venkatesh would acquiesce to the position that the amount of Rs.16,70,575/- (W.P.No.19073 of 2024), Rs.22,72,935/- (W.P.No.19077 of 2024) and Rs.14,84,968/- (W.P.No.19082 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.

10.07.2024

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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 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.



Dr.ANITA SUMANTH,J.

Sl

4. The Chief Financial Controller,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002.
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