



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 05.07.2024

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.Nos.18618 and 18623 of 2024
& WMP.Nos.20416 and 20421 of 2024

M/s Swathi Hatcheries,
HTSC No.039094390302
D.No.22 Trichy Road, Panapalayam,
Palladam Taluk,
Tirupur – 641664
Repd. by its Authorized Signatory Iyppan

... Petitioner in W.P.No.18618 of 2024

M/s.KMS Green Energy India Pvt Ltd
No.147-B, 6th Street, Sakthi Nager West,
Thindal, Erode
Repd by its Managing Director B.Olivannan

... Petitioner in W.P.No.18623 of 2024

Vs

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.

... Respondents in both W.P's



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

.... Respondent in W.P.No.18618 of 2024

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

.... Respondent in W.P.No.18623 of 2024

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

.... Respondent in both W.P.'s

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

.... Respondent in W.P.No.18623 of 2024

PRAYER in W.P.No.18618 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 H.T.Sc.No.039094390302 until the respondents makes payment of the outstanding dues of Rs.14,18,910/- (for the year of 2020-2023 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.18623 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's group captive consumer



M/s.Abbi Textiles is having H.T.Sc.No.059094500295 until the respondents makes payment of the outstanding dues of Rs.7,50,423/- (for the year of 2022-2023) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

In both W.Ps
For Petitioner : Mr.Ali Hassan Khan
For Respondents : Mr.Enock Anand
for Mr.L.Jai Venkatesh

COMMON ORDER

Mr.Enock Anand, 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.14,18,910/- (W.P.No.18618 of 2024) and Rs.7,50,423/- (W.P.No.18623 of 2024) is adjusted as against the consumption charges.

3. Mr.Enock Anand would acquiesce to the position that the amount of Rs.14,18,910/- (W.P.No.18618 of 2024) and Rs.7,50,423/- (W.P.No.18623 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.

05.07.2024

ssm

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
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W.P.Nos.18618 and 18623



Dr.ANITA SUMANTH,J.

ssm

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