



WEB COPY



W.P.No.29132 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.29132 of 2024
and W.M.P.No.31810 of 2024

The Metal Powder Company Limited,
Represented by its Chief Executive Officer,
Mr.A.Kasirajan,
Survey No.89,
Maravankulam,
Tirumangalam-625 706.

... Petitioner

Vs.

- 1.The Tamil Nadu Generation and
Distribution Corporation Limited,
Represented by its Chairman & Managing Director,
144, Anna Salai,
Chennai – 600 002.
- 2.Director Finance,
The Tamil Nadu Generation and
Distribution Corporation Ltd (TANGEDCO),
144, Anna Salai,
Chennai – 600 002.
- 3.The Chief Financial Controller,
The Tamil Nadu Generation and
Distribution Corporation Limited,
144, Anna Salai,
Chennai – 600 002.



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

5.The Superintending Engineer,
Tirupur Electricity Distribution Circle,
Tirupur.

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

7.The Tamil Nadu Electricity Regulatory Commission,
SIPCOT Industrial Park,
Guindy, Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of 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 Nos.059094520020, 059094520208 and 059094520221 connected to the 6th respondent, till the payment of entire outstanding dues of Rs.9,27,557/- payable to the petitioner pursuant to the order of the Tamil Nadu Electricity Regulatory Commission in D.R.P.No.32 of 2014, until the said amount is either paid or adjusted in full by the respondents herein.

For Petitioner : Mr.Rahul Balaji

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel



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ORDER

WEB COPY This Writ Petition has been filed to direct the respondents not to collect current consumption charges, demand charges, and any arrears from the petitioner for the consumption in HTSC Nos.059094520020, 059094520208 and 059094520221 connected to the 6th respondent, till the entire outstanding dues of Rs.9,27,557/- are paid to the petitioner or adjusted in full by the respondents herein, pursuant to the order of the Tamil Nadu Electricity Regulatory Commission in D.R.P.No.32 of 2014.

2. Mr.L.Jai Venkatesh, learned Standing Counsel, accepts notice on behalf of the respondents. In view of the consent expressed by the learned counsel appearing for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that, the petitioner is having High Tension Electricity Supply in HTSC Nos.059094520020, 059094520208 and 059094520221 connected to the 6th respondent. All the energy generated by the petitioner were being sold to the respondents as per the agreement executed between the respondents and the petitioner. The petitioner has raised invoices demanding interest for delayed payment for the energy



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supplied by them from time to time and the petitioner also filed

D.R.P.No.32 of 2014 before the Tamil Nadu Electricity Regulatory

Commission seeking a sum of Rs.1,09,81,922/- as interest for delayed

payments for the power supplied by them as well as 1% further interest for

the delay in settling the invoices raised by the petitioner and the TANGEDCO

had agreed to pay 6% interest per annum, to which, the petitioner also agreed

and a portion of the payment was received. Thereafter, the petitioner

submitted the details of the shortfall in payments before the Tamil Nadu

Electricity Regulatory Commission, pursuant to which, the first respondent

filed a Memo on 09.03.2021 with the details of the pending payments of

Rs.33,99,946/- and the petitioner also agreed to the settlement on the basis

that the respondent would disburse all the payments and the said petition was

disposed of as settled out of Court. Thereafter, the petitioner, after

conducting internal audit, found that Rs.4,47,365/- remains outstanding from

the fourth respondent and Rs.4,80,192/- remains outstanding from the fifth

respondent. Despite several reminders, the respondents have neither paid the

outstanding payment nor adjusted the same. Therefore, the present Writ

Petition has been filed with the aforesaid prayer.



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WEB COPY4. The learned Standing Counsel appearing for the respondents, on instructions, submits that the eligible amount will be paid to the petitioner.

5. In view of the above, this Court directs the respondents to pay interest at the rate of 6% per annum for the belated payment to the petitioner within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Connected miscellaneous petition is closed.

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Index : Yes / No
Speaking order / Nonspeaking order
Netrual Citation Case : Yes / No
ssb



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To

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M.DHANDAPANI, J.

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