



WEB COPY



W.P.No.30869 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **23.10.2024**

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.30869 of 2024

and

W.M.P.No.33455 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 Limited,
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,
TANGEDCO,
Kanyakumari Electricity Distribution Circle,
Kanyakumari.

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

... 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.9,59,542/- payable to the petitioner towards interest on delayed payments towards sale of surplus energy by the petitioner's WEG connected to the respondent Nos.4 and 5, until the said amount is either paid or adjusted in full by the respondents herein.

For Petitioner : Mr.Rahul Balaji

For Respondents : Mr.S.Madhusudanan
Standing Counsel



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ORDER

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2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing on behalf of the respondents.

3. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that the issue raised in this writ petition is squarely covered by the order passed by this Court in W.P.No.18805 of 2024 dated 15.07.2024, wherein, this Court held as under:-

" 2. My attention is drawn by both learned counsel to orders of the Hon'ble Supreme Court in I.A.No.4 of 2016 in



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Civil Appeal No.2937 of 2014 dated 08.07.2016 [Chairman, Tamil Nadu Electricity Board V. Indian Wind Power Association], which has been followed subsequently by this Court in W.P.No.22406 of 2017 dated 08.12.2021 (Indian Wind Power Association V. Tamil Nadu Generation and Distribution, Corporation Ltd.), where under the respondents have been directed to pay interest at 10%, wherever there is a delay of more than 60 days in settling the dues to the petitioner. This Court also made it clear that if the petitioner makes any claim seeking interest more than 10%, the respondents are always at liberty to consider and decide the same in accordance with law.

3. In light of the same, the prayer of the writ petitioner is liable to be acceded to and mandamus is issued as sought for."

4. Following the aforesaid decision, this Writ Petition is disposed of.

There shall be no order as to costs. Connected miscellaneous petition is closed.

23.10.2024

Index : Yes / No

Speaking order / Nonspeaking order

Netrual Citation Case : Yes / No

ssb



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M.DHANDAPANI, J.

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