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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19.07.2024

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.Nos.20120 and 20124 of 2024
& WMP.Nos.22017 and 22025 of 2024

M/s. SKY COTEX INDIA PVT LTD.,
Arul Industrial Estate, Arulpuram,
Tirupur – 641 605
Repd. by its Authorized Signatory M.Naveendhar

... Petitioner in W.P.No.20120 of 2024

M/s.Woodbriar Estate Ltd.,
Regd. Officewe: 10, Damu Nagar,
Coimbatore – 641 045.
Repd. by its Authorized Signatory
Antony George Gonslaves

... Petitioner in W.P.No.20124 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 both W.Ps'

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

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

.... Respondents in W.P.No.20120 of 2024

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

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

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

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

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

PRAYER in W.P.No.20120 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.20,24,596/- (for the year 2023-2024 payable to the petitioner towards cost of the wind energy supplied by the petitioner to the respondent) or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.



PRAYER in W.P.No.20124 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 HTSC No.039094820015 and its group captive consumer M/s. Tea Estate India Ltd, having HTSC No.039094340020, till the entire outstanding dues of Rs.92,75,552/- (for the year of 2016-2024) is paid to the Petitioner or give adjustment in the current consumption charges payable by the Petitioner's HTSC No.039094820015 and its group captive consumer M/s. Tea Estate India Ltd, having HTSC No.039094340020 till the entire amount is adjusted.

In both W.Ps
For Petitioner

: Mr.M.Saravanakumar

For Respondents

: Ms.Sindhuza
for Mr.L.Jai Venkatesh

COMMON ORDER

Ms.Sindhuza, 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.20,24,596/- (W.P.No.20120 of 2024) and Rs.92,75,552/- (W.P.No.20124 of 2024) is adjusted as against the consumption charges.



3. Ms.Sindhuza would acquiesce to the position that the amount of Rs.20,24,596/- (W.P.No.20120 of 2024) and Rs.92,75,552/- (W.P.No.20124 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.

19.07.2024

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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



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W.P.Nos. 20120 and 20124



Dr.ANITA SUMANTH,J.

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