



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.07.2024

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**
W.P.Nos.20066 and 20068 of 2024
& WMP.Nos.21949 and 21964 of 2024

Shiva Mills Limited,
HTSC No.05909450084,
No.249-A, Bye Pass Road,
Mettupalayam Road,
Coimbatore – 641 043
Represented by its Chief Executive Officer
M.Shanmugam

... Petitioner in W.P.No.20066 of 2024

M.T.A. Mills (P) Limited.
10/32-C, Paarai Thootam,
Kannampalayam (P.O.), Sulur (Via),
Coimbatore – 641 402
Repd. By its Director-Madalai Muthu Jayakumar

... Petitioner in W.P.No.20068 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



Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002.

WEB COPY

... Respondents in both W.Ps

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

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

.... Respondents in W.P.No.20066 of 2024

4. The Superintending Engineer
TANGEDCO,
Coimbatore Metro Electricity Distribution Circle,
Coimbatore.

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

.... Respondents in W.P.No.20068 of 2024

PRAYER in W.P.No.20066 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 HTSC No.059094500084 until the respondent makes payment of the outstanding dues of Rs.38,37,737/- (for the year 2023 to 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.20068 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.039094350166 until the respondents makes payment of the outstanding dues of Rs.3,42,652/- (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.

In both W.Ps
For Petitioner : Mr.M.Saravanakumar

For Respondents
in W.P.No.20066 of 2024 : Mr.S.Madhusudanan

in W.P.No.20068 of 2024 : Mr.L.Jai Venkatesh

COMMON ORDER

Mr.S.Madhusudanan, learned Standing Counsel accepts notice for the respondents in W.P.No.20066 of 2024 and Mr.L.Jai Venkatesh, learned Counsel accepts notice for the respondents in W.P.No.20068 of 2024. 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.38,37,737/- (W.P.No.20066 of 2024) and Rs.3,42,652/- (W.P.No.20068 of 2024) is adjusted as against the consumption charges.

3. Mr.Madhusudanan and Mr.Jai Venkatesh would acquiesce to the position that the amount of Rs.38,37,737/- (W.P.No.20066 of 2024) and



Rs.3,42,652/- (W.P.No.20068 of 2024) as quantified by the petitioners are, indeed, arrears due to the petitioners.

WEB COPY

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.

18.07.2024

sl

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



Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002.

WEB COPY

4. The Superintending Engineer
TANGEDCO,
Dindigul Electricity Distribution Circle,
Dindigul.
5. The Superintending Engineer
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.
6. The Superintending Engineer
TANGEDCO,
Coimbatore Metro Electricity Distribution Circle,
Coimbatore.
7. The Superintending Engineer
TANGEDCO,
Udumalpet Electricity Distribution Circle,
Udumalpet.



WEB COPY

W.P.Nos. 20066 and 20068



Dr.ANITA SUMANTH,J.

Sl

W.P.Nos.20066 and 20068 of 2024
& WMP.Nos.21949 and 21964 of 2024

18.07.2024