



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 31.07.2024

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.Nos.21798, 21801, 21808, 21812 and 21817 of 2024
& WMP.Nos.23786, 23790, 23793, 23798 and 23804 of 2024

Aruna Mills.,
246-B, Kovi Road, Velagoundampalayam,
Uppupalayam post, Vellakovil-638111
Kangayam Taluk, Tirupur District
repd. by its Authorized Signatory
T.Manickavasagam

... Petitioner in W.P.No.21798 of 2024

M/s.Prospun Textile India (P) Ltd,
HTSC No.039094320615
S.F.No.234/1, 2 Mettubavi Village,
Poorandampalayam Road, Vadachittur Via,
Pollachi Taluk,
Coimbatore – 641202
Repd by its Authorized Signatory K.Manoharan

... Petitioner in W.P.No.21801 of 2024

M/s Havukal Tea & Produce Company Pvt Ltd
Kotagiri-643217
Nilgiris
repd. by its Authorized Signatory
Mr.K.Subramanian

... Petitioner in W.P.No.21808 of 2024

M/s.Lakshminarayan Gaurishanker Enterprises Pvt Ltd
P.B.No.2201, Balaji Gardens,
Sugarcane Breeding Institute Post,
Coimbatore – 641007
Repd by its Authorized Signatory K.Manoharan

... Petitioner in W.P.No.21812 of 2024



M/s.Sambandam Mills,
390 Nehru Nagar,
Punjai Puliampatti, Sathy Taluk,
Erode-638459

By its Authorised signatory Vishnu K.Arunachalam

... Petitioner in W.P.No.21817 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 all W.Ps

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

.... Respondents in W.P.No.21798 of 2024

4. The Superintending Engineer
TANGEDCO,
Coimbatore (South) Electricity Distribution Circle,
Coimbatore.

.... Respondent in W.P.Nos.21801 & 21812 of 2024



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

.... Respondent in W.P.Nos.21801, 21812 and 21817 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.21808 of 2024

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

.... Respondent in W.P.No.21817 of 2024

PRAYER in W.P.No.21798 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.039094390624 until the respondents makes payment of the outstanding dues of Rs.1,74,550/- (for the year 2023-2024 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.21801 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.4,90,529/- (for the year of 2022-23)



payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

WEB C

PRAYER in W.P.No.21808 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.039094820047 until the respondent makes payment of the outstanding dues of Rs.7,16,554/- (for the year of 2014-2015 and 2016-2017) 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.21812 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. Prospun Textile India (P) Ltd is having HTSC No. HTSC No.039094320615 until the respondents makes payment of the outstanding dues of Rs.17,37,935/- (for the year of 2023-24) 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.21817 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.6,91,651/- (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 all W.Ps
For Petitioner

: Mr.M.Saravanakumar



For Respondents

: Mr.L.Jai Venkatesh
(in W.P.Nos.21798, 21801, 21808 &
21812 of 2024)
Mr.I.Syed Sibghatulla
(in W.P.No.21817 of 2024)

COMMON ORDER

Mr.L.Jai Venkatesh, learned Counsel accepts notice for the respondents in W.P.Nos.21798, 21801, 21808 and 21812 of 2024 and Mr.I.Syed Sibghatulla, learned counsel accepts notice for the respondents in W.P.No.21817 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.1,74,550/- (W.P.No.21798 of 2024), Rs.4,90,529/- (W.P.No.21801 of 2024), Rs.7,16,554/- (W.P.No.21808 of 2024), Rs.17,37,935/- (W.P.No.21812 of 2024) and Rs.6,91,651/- (W.P.No.21817 of 2024) is adjusted as against the consumption charges.

3. Mr.L.Jai Venkatesh and Mr.I.Syed Sibghatulla would acquiesce to the position that the amount of Rs.1,74,550/- (W.P.No.21798 of 2024), Rs.4,90,529/- (W.P.No.21801 of 2024), Rs.7,16,554/- (W.P.No.21808 of 2024), Rs.17,37,935/- (W.P.No.21812 of 2024) and Rs.6,91,651/- (W.P.No.21817 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.

31.07.2024

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



4. The Superintending Engineer
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam.
5. The Superintending Engineer
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.
6. The Superintending Engineer
TANGEDCO,
Coimbatore (South) Electricity Distribution Circle,
Coimbatore.
7. The Superintending Engineer
TANGEDCO,
Nilgiris Electricity Distribution Circle,
Nilgiris.
8. The Superintending Engineer
TANGEDCO,
Udumalpet Electricity Distribution Circle,
Udumalpet.
9. The Superintending Engineer
TANGEDCO,
Gobi Electricity Distribution Circle,
Gobi.



WEB COPY

W.P.Nos. 21798, 21801, 21808, 21812 and 21817



Dr.ANITA SUMANTH,J.

Sl

**W.P.Nos.21798, 21801, 21808, 21812 and 21817 of 2024
& WMP.Nos.23786, 23790, 23793, 23798 and 23804 of 2024**

31.07.2024