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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 31.07.2024

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.Nos.21850, 21854, 21855, 21858 and 21859 of 2024
& WMP.Nos.23843, 23850, 23852, 23855 and 23856 of 2024

M/s Kumaraguru Hitec Rice Industries,
S.F.No.151/3 B, Palayakottaai Road,
Kangayam – 638701, Tirupur
Repd. by its Authorized Signatory
T.Manickavasagam

... Petitioner in W.P.No.21820 of 2024

M/s.Pallava Spinning Mills (Pvt) ltd,
Minukkampatty,
Kasipalayam post,
Vedasandhur – 624 711. repd. by its
Authorized Signatory R.Bommanasamy

... Petitioner in W.P.No.21854 of 2024

Pandian Textiles Mills Pvt Ltd
Regd Off: 21, Dharapuram Road,
Thillai Nagar, Tiruppur – 641604
repd by its Authorised Signature
R.Bommanasamy

... Petitioner in W.P.No.21855 of 2024

Chola Textiles P Ltd
Regd Off:20, Dharapuram Road,
Thillai Nagar, Tiruppur – 641604
repd by its Authorised Signature
R.Bommanasamy

... Petitioner in W.P.No.21858 of 2024

Excel Cotspin (India) Mills P Ltd.,
Regd Off: 21, Dharapuram Road,
Thillai Nagar, Tirupur – 641604,



Represented by its Authorised Signatory
R.Bommanasamy

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... Petitioner in W.P.No.21859 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

... Respondents in all W.Ps

3. Chief Engineer,
Non Conventional Energy Sources,
Tamil Nadu Generation and Distribution Corporation Limited, 144, Anna Salai
Chennai 600 002.

... Respondent in W.P.No.21850 of 2024

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

... Respondent in W.P.Nos.21854, 21855, 21858 and 21859 of 2024

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

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

.... Respondents in W.P.No.21850 of 2024

4. The Superintending Engineer
TANGEDCO,



Dindigul Electricity Distribution Circle,
Dindigul.

.... Respondent in W.P.Nos.21854, 21855 & 21858 of 2024

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

.... Respondent in W.P.Nos.21854, 21855, 21858 & 21859 of 2024

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

.... Respondent in W.P.No.21859 of 2024

PRAYER in W.P.No.21850 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.039094390416 until the respondents makes payment of the outstanding dues of Rs.2,33,726/- (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.21854 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.31,71,465/- (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.

PRAYER in W.P.No.21855 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 respondent makes payment of the outstanding dues of Rs.48,52,914/- (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.

PRAYER in W.P.No.21858 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.42,44,697/- (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.

PRAYER in W.P.No.21859 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.10,29,174/- (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.No.21850 of 2024)
Mr.I.Syed Sibghatulla
(in W.P.No.21859 of 2024)
Mr.S.Madhusudanan
(in W.P.Nos.21854, 21855 and
21859 of 2024)

COMMON ORDER



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Mr.L.Jai Venkatesh, learned Counsel accepts notice for the respondents in W.P.No.21850 of 2024, Mr.I.Syed Sibghatulla, learned counsel accepts notice for the respondents in W.P.No.21859 of 2024 and Mr.S.Madhusudanan, learned counsel accepts notice for the respondents in W.P.Nos.21854, 21855 and 21859 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.2,33,726/- (W.P.No.21850 of 2024), Rs.31,71,465/- (W.P.No.21854 of 2024), Rs.48,52,914/- (W.P.No.21855 of 2024), Rs.42,44,697/- (W.P.No.21858 of 2024) and Rs.10,29,174/- (W.P.No.21859 of 2024) is adjusted as against the consumption charges.

3. Mr.L.Jai Venkatesh, Mr.I.Syed Sibghatulla and Mr.S.Madhusudanan would acquiesce to the position that the amount of Rs.2,33,726/- (W.P.No.21850 of 2024), Rs.31,71,465/- (W.P.No.21854 of 2024), Rs.48,52,914/- (W.P.No.21855 of 2024), Rs.42,44,697/- (W.P.No.21858 of 2024) and Rs.10,29,174/- (W.P.No.21859 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

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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. Chief Engineer, Non Conventional Energy Sources, Tamil Nadu Generation and Distribution Corporation Limited, 144, Anna Salai Chennai 600 002.
4. Director Finance
Tamil Nadu Generation and Distribution Corporation Limited, 144, Anna Salai



Chennai 600 002.

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Dr.ANITA SUMANTH,J.

Sl

**W.P.Nos.21850, 21854, 21855, 21858 and 21859 of 2024
& WMP.Nos.23843, 23850, 23852, 23855 and 23856 of 2024**

31.07.2024