



WEB COPY



W.P.No.24945 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.24945 of 2024
and
W.M.P.No.27291 of 2024

Concorde Textiles,
Rep. by its Partner, M.Avais Musvee,
Old No.3, New No.7, 8th Street,
Dr. Radhakrishnan Salai,
Mylapore, Chennai – 600 004. ... Petitioner

Vs.

- 1.The Tamil Nadu Generation and
Distribution Corporation Ltd (TANGEDCO),
Represented by its Chairman & Managing Director,
10th Floor, Eastern Wing, N.P.K.R.R. Maligai,
144, Anna Salai,
Chennai – 600 002.
- 2.Director Finance,
The Tamil Nadu Generation and
Distribution Corporation Ltd (TANGEDCO),
144, Anna Salai,
Chennai – 600 002.
- 3.The Chief Financial Controller (General),
The Tamil Nadu Generation and
Distribution Corporation Ltd (TANGEDCO),
144, Anna Salai,
Chennai – 600 002.
- 4.The Superintending Engineer, TANGEDCO,



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Tirunelveli Electricity Distribution Circle,
Anna Building, Thiyagaraja Nagar,
Tirunelveli – 627 011.

5.The Superintending Engineer, TANGEDCO,
Chengalpattu Electricity Distribution Circle,
No.130, GST Road,
Chengalpattu – 603 001.

... 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 No.099094110226 connected to the 5th respondent, till the payment of entire outstanding dues of Rs.5,78,272.40/- payable to the petitioner towards encashment of unutilised banked units of energy generated by the petitioner's WEG bearing SC Nos.079204721435 and 079214721969 connected to the 4th respondent, along with interest at 1% per month, until the said amount is either paid or adjusted in full by the respondents herein.

For Petitioner : Mr.Pranav Devaraj
for M/s.Rahul Balaji

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel

ORDER

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, to direct the respondents and their men, agents not to collect current consumption charges, demand charges, and any arrears from the



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petitioner for the consumption in HTSC No.099094110226 connected to the 5th respondent, till the payment of entire outstanding dues of Rs.5,78,272.40/- payable to the petitioner towards encashment of unutilised banked units of energy generated by the petitioner's WEG bearing SC Nos.079204721435 and 079214721969 connected to the 4th respondent, along with interest at 1% per month, until the said amount is either paid or adjusted in full by the respondents herein.

2. Mr.L.Jai Venkatesh, learned Standing Counsel, accepts notice on behalf of the respondents. In view of the consent expressed by the learned counsel appearing for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that, the petitioner is having High Tension Electricity Supply in H.T.S.C.No.099094110226 connected to the 5th respondent and producing electricity and exporting the same to the respondent-TANGEDCO as per the Energy Wheeling Agreement (EWA) executed between the 4th respondent and the petitioner dated 28.09.2005 for the WEG bearing No.079204721435 and agreement dated 08.03.2011 for the WEG bearing No.079214721969. Despite the respondent's failure to clear the



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dues of Rs.5,78,272.40/- towards payment for the unutilised units of energy generated by the petitioner for the time period April 2016 – March 2017, April 2017 – March 2018, April 2020 – March 2021 and April 2022 – March 2023 at the generation end connected to the 4th respondent, the respondents have continued to issue monthly CC bills against the petitioner's consumption connection No.099094110226 connected to the 5th respondent, which caused irreparable damage and burden to the petitioner company. Therefore, the present writ petition is filed before this Court.

4. Learned counsel for the petitioner submitted that the TANGEDCO has consumed energy from the petitioner and the petitioner has also consumed energy from the TANGEDCO, however, without paying the huge due amount payable to the petitioner, the respondent-TANGEDCO demanded current consumption charges from the petitioner, which is unsustainable. Accordingly, he prays for appropriate orders.

5. Learned Standing Counsel appearing for the respondents submitted that the current consumption charges payable by the petitioner will be adjusted with the dues payable by the TANGEDCO to the petitioner.



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6. Recording the submission made by the learned Standing Counsel

appearing for the respondents, the Writ Petition is closed. No costs.

Consequently, the connected miscellaneous petition is also closed.

30.08.2024

Index : Yes / No

Speaking order / Nonspeaking order

Netrual Citation Case : Yes / No

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To

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M.DHANDAPANI, J.



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