



WEB COPY



W.P.No.24720 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.24720 of 2024

and

W.M.P.No.27038 of 2024

M/s.Madras Silks India Private Limited,
HTSC No.099094010988,
Registered Office No.68A, College Road,
Tirupur-641 602.
Rep.by its Authorized Signatory,
P.Manickam

... Petitioner

Vs.

- 1.Tamil Nadu Electricity Regulatory
Commission, repd. by its Secretary,
19-A, Rukmini Lakshmipathi Salai,
(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,



W.P.No.24720 of 2024

WEB COPY

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

4.The Superintending Engineer,
TANGEDCO,
Chennai South-2 Electricity Distribution Circle,
Chennai.

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of 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.5,76,774/- (for the year of 2022-2023) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel



W.P.No.24720 of 2024

WEB COPY

ORDER

This Writ Petition has been filed to forbear the respondents from collecting current consumption charges, demand charges and any arrears from the petitioner until the outstanding dues of Rs.5,76,774/- (for the year 2022-2023) are adjusted against the consumption charges.

2. When the matter is taken up for hearing today, the learned counsel for the petitioner fairly conceded that the issue in this writ petition has already been decided by this Court in W.P.Nos.6776 of 2018, etc., batch of cases and that the same order may be passed in the present writ petition as well.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. In view of the fair stand taken by the learned counsel for the petitioner, in an identical circumstances, the learned Single Judge of this Court in W.P.Nos.6776 of 2018, etc., batch of cases, by order dated 28.10.2021, in the case of *M/s.Rajaguru Spinning Mills P. Ltd., Vs.*



W.P.No.24720 of 2024

WEB COPY

The Tamil Nadu Electricity Regulatory Commission & 3 Ors., has held

as under :

“11. In view of the above, all these Writ Petitions are Disposed of with the following directions:-

(a) In all those cases where the TANGEDCO has acted upon the interim orders passed by this Court and the entire outstanding amounts due and payable has been adjusted, those writ petitions will be rendered infructuous since the grievance of those petitioners stands redressed;

(b) In those cases where the TANGEDCO is in the process of adjusting the outstanding amount due, such adjustment shall be continued till the entire outstanding amount is adjusted towards the current consumption charges / open access charges payable by the respective petitioners and

(c) The TANGEDCO shall not take any coercive steps to disconnect the electricity connection to the petitioners until the outstanding amounts due and payable is completely adjusted towards the current consumption charges/ open access charges payable by the petitioners.”

5. Following the ratio laid down in the said decision, this Court has



W.P.No.24720 of 2024

WEB COPY

also disposed of the Writ Petitions in W.P.Nos.27559 and 27564 of 2021 by an order dated 22.12.2021. Hence, in the aforesaid terms, this Writ Petition is also disposed of. No Costs. Consequently, the connected miscellaneous petition is closed.

23.08.2024

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
ssb



W.P.No.24720 of 2024

To
WEB COPY

1. Tamil Nadu Electricity Regulatory Commission, repd. by its Secretary, 19-A, Rukmini Lakshmipathi Salai, (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, Chennai South-2 Electricity Distribution Circle, Chennai.
5. The Superintending Engineer, TANGEDCO, Tirunelveli Electricity Distribution Circle South, Tirunelveli.



WEB COPY



W.P.No.24720 of 2024

M.DHANDAPANI, J.

ssb

W.P.No.24720 of 2024
and
W.M.P.No.27038 of 2024

23.08.2024