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W.P.No.25196 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.25196 of 2024
and W.M.P.Nos.27520 and 27522 of 2024**

Top Light Textiles Private Limited,
No.2/647-B, Venus Garden, Periyandipalayam,
Managalam Road, Tirupur-641 687,
Rep.by its Director, V.Sasivarnan.

... Petitioner

Vs.

1. The Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
144, Anna Salai, Chennai-600 002.
Rep.by its Chairman.

2.The Superintending Engineer,
TANGEDCO,
Tirupur Electricity Distribution Circle,
Tirupur.

3.The Account Officer/Revenue,
The Superintending Engineer Office,
TANGEDCO,
Tirupur Electricity Distribution Circle,
Tirupur.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the impugned CC Bill dated 08.08.2024 passed by the third respondent, insofar as serial No.21, Adjustment charges (Not affecting) in respect of Rs.18,44,640/- alone is concerned and quash the same as illegal, arbitrary, against the principles of natural justice, contrary to the second respondent's own Circular Memo dated 03.02.2016 and against Rule 13(2) of the Tamil Nadu Electricity Supply Code, 2004, and consequently direct the second and third respondents to give an opportunity and personal hearing to the petitioner.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.Jai Venkatesh

ORDER

This Writ Petition has been filed challenging the impugned CC Bill dated 08.08.2024 issued by the third respondent insofar as serial No.21, Adjustment charges (Not affecting) of Rs.18,44,640/- is concerned and quash the same as illegal and contrary to the Circular Memo issued by the second respondent dated 03.02.2016 and against Rule 13(2) of the Tamil Nadu Electricity Supply Code, 2004, and for a



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consequential direction to the second and third respondents to give an opportunity and personal hearing to the petitioner.

2. The learned counsel appearing for the petitioner submits that the petitioner is an Industry and manufacturing cotton yarn and having High Tension Electricity Supply which is coming under the third respondent. While so, in the High Tension Bill (Provisional) for the month of July 2024 issued by the third respondent, a sum of Rs.18,44,640/- has been levied towards network charges and the petitioner has been directed to pay the said amount on or before 29.08.2024 and the network charges will not be applicable to the petitioner's Industry, because the petitioner is yet to commissioning the roof-top solar power plant at the premises. Pursuant to the impugned CC Bill, the petitioner has raised objections vide letter dated 21.08.2024 to the second respondent explaining that before issuing the impugned CC Bill, no opportunity was given to the petitioner, however, no reply has been given by the second respondent and the third respondent is insisting the petitioner to pay the network charges. Aggrieved by the same,



the present writ petition has been filed.

3. The learned counsel appearing for the petitioner submits that it would suffice, if this Court directs the second respondent to pass appropriate orders on the objection raised by the petitioner dated 21.08.2024, within a time fixed by this Court.

4. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

5. Considering the facts and circumstances of the case and the submission made by the learned counsel appearing for the petitioner, this Court directs the second respondent to pass appropriate orders on the objection raised by the petitioner dated 21.08.2024, within a period of two weeks from the date of receipt of a copy of this order. Till such time, the impugned CC Bill dated 08.08.2024 issued by the third respondent is kept in abeyance, since no opportunity was given to the petitioner before issuing the



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impugned CC Bill by the third respondent.

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6. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Connected miscellaneous petitions are closed.

28.08.2024

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb

Note: Issue order copy on **29.08.2024**

To

1. The Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO),
144, Anna Salai, Chennai-600 002.
Rep.by its Chairman.
- 2.The Superintending Engineer,
TANGEDCO,
Tirupur Electricity Distribution Circle,
Tirupur.



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3. The Account Officer/Revenue,
The Superintending Engineer Office,
TANGEDCO,
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M.DHANDAPANI, J.

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