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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2024

CORAM:

THE HON'BLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.25958, 25960 & 25965 of 2024
and WMP.Nos.28340, 28342 & 28347 of 2024

Naveen Cotton Mill Private Limited,
D.No.8/1456, R.S.Puram, First Street,
Near Pandian Nagar Bus stop,
P.N.Road, Tiruppur,
Rep. By its Authorized Signatory
K.Kondavenikatasubramani

...Petitioner in W.P.no.25958/2024

M/s.SCM Silks Private Ltd.,
HTSC No.039094380199,
No.74, New Market Street,
Tirupur. Rep. By its Authorized
Signatory P.Manickam

...Petitioner in W.P.no.25960/2024

Gomathy International,
9, Agasthiyar Koil East Street,
Ambasamudram-627 426.
Tirunelveli District,
Rep. By its Partner V.Maninarayanan.

Vs.

1. Tamilnadu Generation & Distribution Corporation Ltd.,
(TANGEDCO),
Rep. by its Secretary,
19-A, Rukminilakshmipathy Salai,



Egmore, Chennai-8.

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2. The Chairman,
Tamilnadu Generation & Distribution Corporation Ltd.,
(TANGEDCO),
No.144, Anna Salai, Chennai – 600 002.
3. The Director (Finance),
Tamilnadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai – 600 002.
4. The Superintending Engineer, TANGEDCO,
Gobi Electricity Distribution Circle,
Gobi.
5. The Superintending Engineer, TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.
6. The Superintending Engineer, TANGEDCO,
Tuticorin Electricity Distribution Circle,
Tuticorin.

...Respondents in W.P.no.25958/2024

1. Tamilnadu Generation & Distribution Corporation Ltd.,
(TANGEDCO),
Rep. by its Secretary,
19-A, Rukminilakshmipathy Salai,
Egmore, Chennai-8.
2. The Chairman,
Tamilnadu Generation & Distribution Corporation Ltd.,
(TANGEDCO),
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3. The Director (Finance),



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Tamilnadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai – 600 002.

4. The Superintending Engineer, TANGEDCO,
Tiruppur Electricity Distribution Circle,
Tiruppur.
5. The Superintending Engineer, TANGEDCO,
Coimbatore South Electricity Distribution Circle,
Coimbatore.

...Respondents in W.P.no.25960/2024

1. Tamilnadu Generation & Distribution Corporation Ltd.,
(TANGEDCO),
Rep. by its Secretary,
19-A, Rukminilakshmipathy Salai,
Egmore, Chennai-8.
2. The Chairman,
Tamilnadu Generation & Distribution Corporation Ltd.,
(TANGEDCO),
No.144, Anna Salai, Chennai – 600 002.
3. The Director (Finance),
Tamilnadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai – 600 002.
4. The Superintending Engineer, TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.

... Respondents in W.P.no.25965 of 2024

Prayer in W.P.no.25958 of 2024: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the respondents and their men, agents from collecting current consumption



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charges, demand charges and any arrears from the petitioner until the respondents make payment of the outstanding dues of Rs.17,39,306/- (for the year of 2023-2024) payable to the petitioner to give adjustment in the current consumption charges payable by the petitioner till the entire outstanding amount is adjusted.

Prayer in W.P.no.25960 of 2024: Writ Petition filed under Article 226 of the Constitution of India, 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 make payment of the outstanding dues of Rs.3,03,232/- (for the year of 2022-2023) payable to the petitioner to give adjustment in the current consumption charges payable by the petitioner till the entire outstanding amount is adjusted.

Prayer in W.P.no.25965 of 2024: Writ Petition filed under Article 226 of the Constitution of India, 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.Sri Gomathy Mills Private Limited is having HTSC No.07909472 0004 until the respondents make payment of the outstanding dues of Rs.26,27,816/- (for the year of 2023-2024) payable to the petitioner to give adjustment in the current consumption charges payable by the petitioner's group captive consumer M/s.Sri Gomathy Mills Private Limited



is having HTSC No.07909472 0004 till the entire outstanding amount is adjusted.

For Petitioner : Mr.R.S.Pandiyaraj in all the W.P.s'

For Respondents : Mr.S.Madhusudhanan
for W.P.Nos.25958 & 25965/2024
Mr.L.Jaivenkatesh
for W.P.No.25960 of 2024

COMMON ORDER

These Writ petitions have been filed by the petitioners seeking to forbear the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner until the respondents make payment of the outstanding dues of Rs.17,39,306/-, 3,03,232/- and 26,27,816/- respectively (for the year of 2023-2024) payable to the petitioner to give adjustment in the current consumption charges payable by the petitioner till the entire outstanding amount is adjusted.

2. When the matters were taken up for hearing, the learned counsel for the petitioners submitted that the issue involved in the present Writ petition is no longer *res integra* and the similar issue has already been



decided by the learned Single Judge of this Court in **W.P.Nos.6776 of 2020 etc., batch** on 28.10.2021 and therefore the same order may be passed in this petition as well. Learned counsel appearing for the respondents has not disputed the facts submitted by the learned counsel for the petitioner and he has no serious objection for the said order being passed.

3. The learned Single Judge of this Court, vide order dated 28.10.2021 made in **W.P.Nos.6776 of 2020 etc., batch** in the case of ***M/s.Rajaguru Spinning Mills P. Ltd., Vs. The Tamil Nadu Electricity Regulatory Commission***, in identical circumstances which was also relied upon by the learned counsel for the petitioner 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



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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.”

3. In view of the above fact that the earlier Writ petitions involving similar issue being disposed of by this Court in the aforesaid terms, the present Writ Petitions also stand disposed of in terms of the above said order of this Court dated 28.10.2021 made in W.P.Nos.6776 of 2020 etc., batch. No costs. Consequently, connected M.P.s' are closed.

04.09.2024

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To:

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(TANGEDCO),
Rep. by its Secretary,
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Egmore, Chennai-8.



M.DHANDAPANI, J.

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