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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2024

CORAM:

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

W.P.No.27087, 27092 and 27095 of 2024  
and WMP.Nos.29602, 29605 & 29606 of 2024

M/s.Madras Silks India Pvt. Ltd.,  
HTSC.No.099094011045,  
Registered office No.68A, College Road,  
Tiruppur- 641 602, Rep. By its  
Authorized Signatory P.Manickam

...Petitioner in W.P.no.27087 of 2024

Velatal Industries Private Limited,  
Formerly known as  
Velathal Spinning Mills Private Ltd.,  
Pallipalayam,  
Erode-638 006,  
Repd., by its Managing Director,  
Hariprasath.

...Petitioner in W.P.no.27092/2024

M/s.SHIFA Chemical,  
No.24/O, C.N.Annadurai Road,  
Sivakasi, Rep. By its Proprietor,  
M.S.Noor Mohamed.

...Petitioner in W.P.no.27095/2024

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.

... Respondents 1 to 3 in all the writ petitions

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

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

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

...Respondents 4 to 6 in W.P.no.25958/2024

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

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

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



...Respondents 4 to 6 in W.P.no.27092/2024

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

...Respondents 4 and 5 in W.P.no.27095/2024

Prayer in W.P.no.27087 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.23,72,729/- (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.27092 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.58,98,371/- (for the year of 2016-2018-2019-2020) payable to the petitioner to give adjustment in the current consumption charges payable by the petitioner till



the entire outstanding amount is adjusted.

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Prayer in W.P.no.27095 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.11,97,459/- (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.

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

For Respondents : Mr.S.Madhusudhanan  
for W.P.No.27095/2024  
Mr.L.Jaivenkatesh  
for W.P.No.27087 of 2024  
Mr.S.Kalaiselvan  
for W.P.No.27092/2024

### **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.23,72,729/-, 58,98,371/- and 11,97,459/- respectively payable to the



petitioners to give adjustment in the current consumption charges payable by the petitioners 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 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.”*

4. 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.

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**M.DHANDAPANI, J.**

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Palladam.
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W.P.No.27087, 27092 and 27095 of 2024

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