



WEB COPY

WP Nos. 28161 , 28165, 28170
28172 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-08-2024

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP Nos. 28161, 28165, 28170 & 28172 of 2023
and WMP.Nos.27686, 27688, 27696, 27698, 27692, 27697, 27700 & 27701 of
2023**

In W.P.No.28161 of 2023

M/s.Shrini Softex India Ltd
HTSC No.039094380221
Sf.No.24/1B1, 24/2B, Sathy Main
Road, Annur- 641 653 Coimbatore
District, Repd., Its Authorized
Signatory K.Dinesh Prabhu.

Petitioner(s)

In W.P.No.28165 of 2023

M/s.VMC Steel and Alloys Industry,
SF.No.103/3, Chennimalai Villagepaniyampalli Village,
Panchayat Perundurai, Erode,
rep., by its Authorized Signatory Vivek Karthic.

Petitioner(s)

In W.P.No.28170 of 2023

Victus Dyeings
S.F.No.53/2, Chettiurai Thottam,
Karaipudur Village, Veerapandi Post,
Tirupur-641605
rep., by it Authorized Signatory,
V.Manikam.

Petitioner(s)



In W.P.No.28172 of 2023

Sivaa Blue Metals,
HTSC No.039094390487
SF.No.782, Nathakadaiyar Road,
Nall Road, Parancervali (PO),
Kangayam-638 701,
rep., by its Authorized Signatory,
V.Manikandan.

... Petitioner

Vs

1. The State Of Tamil Nadu,
Rep By Its Secretary To Government,
Energy Department, Fort St. George,
Chennai-600 009.

First respondent in all the WPs'

2.The Chairman And Managing
Director, TANGEDCO Ltd.,
144, Anna Salai, Chennai- 600 002.

Second respondent in all WPs'

In WP.No.28161 of 2023:

3.The Superintending Engineer,
Tirupur Electricity Distribution Circle,
TANGEDCO, Tiruppur.

Third respondent

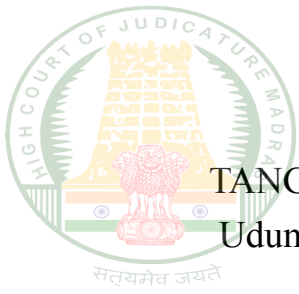
In WP.No.28165 of 2023:

3. The Superintending Engineer,
TANGEDCO,
Erode Electricity Distribution Circle,
Erode.

..Third respondent

In WP.No.28170 of 2023:

3. The Superintending Engineer,
Udumalpet Electricity Distribution Circle,



TANGEDCO,
Udumalpet.

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..Third respondent

WEB **In WP.No.28172 of 2023:**

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

..Third respondent

COMMON PRAYER

These Writ Petitions are filed under Article 226 of Constitution of India seeking Writ of Mandamus forbearing the 2nd and 3rd respondents, from demanding and collecting the tax on maximum demand charges from the petitioner in H.T.Sc.Nos.039094380221, 039094340390, 049094260336 & 039094390487 as per the orders of the Honourable Supreme Court of India, New Delhi on 31.08.2012 in SLP (C) No.24993 of 2012 and 25522 of 2012 etc., Batch in M/s.Sri Krishna Alloys and Etc. Vs. Union of India and others etc.

For Petitioner(s): Mr.R.S. Pandiyaraj in all WPs'

For Respondent(s): Mr.LSM.Hasan Fizal, AGP for R1
Mr.L.Jaivenkatesh SC for
TANGEDCO R2 & R3 in
W.P.Nos.28161, 28170 & 28172 of
2023
Mr.I. Syed Singhatulla for
TANGEDCO R2 R3 in
W.P.No.28165 of 2023



COMMON ORDER

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Writ Petitions are filed seeking a direction to forbear the respondents 2 and 3 from demanding and collecting tax on maximum demand charges from the petitioners in H.T.Sc.Nos. 039094380221, 039094340390, 049094260336 & 039094390487 as per the order dated 31.08.2012 passed by the Apex Court in S.L.P.(C).No.24993 of 2012 and 25522 of 2012 etc., batch in the case of M/s.Sri Krishna Alloys and Etc., vs. Union of India and other etc.

2. As the issue involved in all Writ Petitions is one and the same, case are taken up for disposal by a common order.

3. When these matters are taken up for hearing, learned counsel for the petitioners submitted that, the issue involved in the present Writ Petitions is squarely covered by the order dated 25.07.2019 passed by this Court in W.P.No.21902 of 2019. For better appreciation, relevant portion of the said order is extracted hereunder:

“ 3. the issue raised in the present petition is being



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settled against the petitioner in terms of the Division Bench judgment in W.P.No.159 of 2008 and etc., (batch) decided on 15.06.2012 and thereafter; the Hon'ble Supreme Court having entertained the Special Leave Appeals against the said judgment bearing Special Leave (Civil) Nos.24685 to 23719 of 2012, dated 31.08.2012, with and interim direction restraining the respondents therein from taking any coercive steps for disconnecting the supply of electricity to the premises of the petitioner therein, subject to that petitioner paying all the charges/dues except tax calculated on the basis of maximum demand, it is agreed that, the present Writ Petition be disposed of in the terms aforesaid, with the agreement that the ultimate fate of the matter before the Hon'ble Supreme Court would also govern the present petitioner and the same interim order would continue to enure for the benefit of the Writ Petitioner during the pendency of the Special Leave Appeals?"

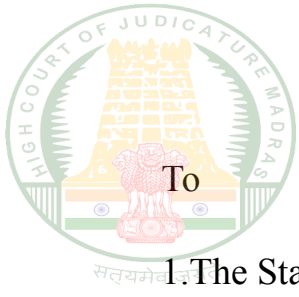
4. As the said interim order passed by the Apex Court governs the Writ Petitioners herein, the above Writ Petitions are disposed of in terms of the said order passed by this Court as stated supra. No costs. Consequently, connected Miscellaneous Petitions are closed.

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Index: Yes/No

Speaking/Non-speaking order



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To

1. The State Of Tamil Nadu,
Rep By Its Secretary To Government,
Energy Department, Fort St. George,
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2. The Chairman And Managing
Director, TANGEDCO Ltd., 144,
Anna Salai, Chennai- 600 002.

3. The Superintending Engineer,
Tirupur Electricity Distribution Circle,
TANGEDCO, Tiruppur.

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

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

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



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M.DHANDAPANI, J.

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