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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2024

CORAM:

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

W.P.No.29894, 29898, 29903 & 29908 of 2024
and WMP.Nos.32603, 32605, 32608 and 32615 of 2024

Jayavarma Textiles Private Limited,
105, SF.Nos.237/1, 239/2 & 240/2C, Sakthi Nagar (North),
P.N.Road, Pooluvapatty Post,
Tirupur-641 603,
rep.by its Authorized Signatory,
S.Dhayanidhi

...Petitioner in W.P.No.29894/2024

R.G.Spining Mills Private Limited,
S.F.No.346, 348, Amman Kovil Bus Stop,
Nathamedu Road-637 303,
Sanyasipati Post Sankari West-637 303,
Namakkal,
Rep.by its Managing Director
P.Vasanth

...Petitioner in W.P.No.29898/2024

J.V.Tapes,
105, Sakthi Nagar (North),
P.N.Road, Pooluvapatty Post,
Tirupur,
Rep.by its Authorized Signatory,
S.Dhayanidhi

...Petitioner in W.P.No.29903/2024



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Narasu's Spinning Mills
HTSC.No.049094220100,
R.C.Chettypatty (PO), Omalur Taluk,
Salem-638 455,
Rep.by its Partner,
V.Pranav Visweswaran
W.P.No.29908/2024

...Petitioner in

Vs.

1. Tamil Nadu Electricity Regulatory Commission,
Rep. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road)
Egmore, Chennai-8.
2. The Chairman,
Tamil Nadu Generation & Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai – 600 002.
3. The Director Finance,
Tamil Nadu 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.

...Respondents in W.P.No.29894/2024

1. Tamil Nadu Electricity Regulatory Commission,
Rep. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road)



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2. The Chairman,
Tamil Nadu Generation & Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai – 600 002.
3. The Director Finance,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai – 600 002.
4. The Superintending Engineer, TANGEDCO,
Namakkal Electricity Distribution Circle,
Namakkal.
5. The Superintending Engineer, TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.

...Respondents in W.P.No.29898/2024

1. Tamil Nadu Electricity Regulatory Commission,
Rep. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road)
Egmore, Chennai-8.
2. The Chairman,
Tamilnadu Generation & Distribution Corporation Ltd.,
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3. The Director Finance,
Tamilnadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai – 600 002.
4. The Superintending Engineer, TANGEDCO,
Tirupur Electricity Distribution Circle,
Tirupur.



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

...Respondents in W.P.No.29903/2024

1. Tamil Nadu Electricity Regulatory Commission,
Rep. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road),
Egmore, Chennai-8.
2. The Chairman,
Tamil Nadu Generation & Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai – 600 002.
3. The Director Finance,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai – 600 002.
4. The Chief Financial Controller
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai – 600 002.
5. The Superintending Engineer, TANGEDCO,
Mettur Electricity Distribution Circle,
Mettur Dam.
6. The Superintending Engineer, TANGEDCO,
Coimbatore South Electricity Distribution Circle,
Coimbatore.

...Respondents in W.P.No.29908/2024

Prayer in W.P.No.29894 of 2024: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the



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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.4,43,036/- (for the year of 2023-2024) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

Prayer in W.P.No.29898 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.14,25,435/- (for the year of 2022-2024) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

Prayer in W.P.No.29903 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.2,69,137/- (for the year of 2023-2024) payable to the petitioner towards the cost of the wind energy supplied by the petitioner to the respondent or give adjustment in the current consumption charges payable by the petitioner till the entire amount



is adjusted.

Prayer in W.P.No.29908 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.44,35,113/- (for the year of 2023-2024) 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 in all the W.P.s'

For Respondents : Mr.Syed Sibghatulla
for W.P.Nos.29894 & 29908/2024
Mr.L.Jaivenkatesh
for W.P.No.29903 of 2024
Mr.S.Kalaiselvan
for W.P.No.29898 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.4,43,036/-, Rs.14,25,435/-, Rs.2,69,137/- and Rs.44,35,113/-

respectively (for the years of 2023-2024 and 2022-2024) payable to the petitioners or give adjustment in the current consumption charges payable by the petitioners till the entire 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 petitions 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 these petitions as well. Learned counsels appearing for the respondents have not disputed the facts submitted by the learned counsel for the petitioners and have 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 petitioners held as under:-

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“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 were 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.

21.10.2024

ssb

To:

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

9/11



Namakkal Electricity Distribution Circle,
Namakkal.

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7. The Superintending Engineer, TANGEDCO,
Tirupur Electricity Distribution Circle,
Tirupur.
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M.DHANDAPANI, J.

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W.P.Nos.29894, 29898, 29903 & 29908 of 2024

14.10.2024