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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.10.2024

CORAM:

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

W.P.No.31307, 31313, 31315 and 31317 of 2024
and WMP.Nos.33954, 33958, 33961 and 33965 of 2024

Sudharsan Exports HTSC.No.039094380214,
No.5/185, Main Road, Ananthagiri,
Karuvalur, Avanshi Taluk, Tirupur
rep. By its Authorized Signatory Paramasivam.

...Petitioner in W.P.no.31307 of 2024

Sakthivel Tex Mills,
HTSC.No.039094320807,
SF. No.911/3, Sendevipalayam Road,
Karugampalayam,
Ichipatti Post, Samalapuram, Palladam Taluk,
Tirupur, rep. By its Authorized Signatory Paramasivam.

....Petitioner in W.P.No.31313 of 2024

Armstrong Power Private Ltd.,
61 C, Saminathapuram II Street,
Anuparapalayam Post,
Tiruppur,
Rep. By its Authorized Signatory A.Arumugam.

.... Petitioner in W.P.no.31315 of 2024

Selvam Traders,
Textile Division,
No.27, Dr.Nanjappa Road,
Rep. By its Authorized signatory
V.Krishnan.

... Petitioner in W.P.No.31317 of 2024



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Vs.

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.
... Respondents 1 to 3 in all the writ petitions
4. The Superintending Engineer, TANGEDCO,
Tiruppur Electricity Distribution Circle,
Tiruppur.
5. The Superintending Engineer, TANGEDCO,
Udumalpet Electricity Distribution Circle,
Udumalpet.
6. The Superintending Engineer, TANGEDCO,
Coimbatore Electricity Distribution Circle,
Coimbatore.
...Respondents 4 to 6 in W.P.no.31307/2024
4. The Superintending Engineer, TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.
5. The Superintending Engineer, TANGEDCO,
Coimbatore Electricity Distribution Circle,
Coimbatore. Respondents 4 & 5 in W.P.No.31313/2024



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

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

.... Respondents 4 & 5 in W.P.No.31315/2024

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

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

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

...Respondents 4 to 6 in W.P.no.31317/2024

Prayer in W.P.no.31307 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.4,21,210/- (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.



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Prayer in W.P.no.31313 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.4,49,809/- (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.31315 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 petitioners group captive consumer M/s.Armstrong Spinning Mills Private Ltd., HTSC. No.049094360083 until the respondents make payment of the outstanding dues of Rs.7,27,225/- (for the year of 2023-2024) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioners group captive consumer M/s.Armstrong Spinning Mills Private Ltd., HTSC. No.049094360083 till the entire outstanding amount is adjusted.

Prayer in W.P.no.31317 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.8,26,661/- (for the year of 2019-2020-2022-2023) payable to the petitioner to give adjustment in the current consumption charges payable by the petitioner till the entire outstanding amount is adjusted.

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

For Respondents : Mr.I.Syed Sibghatulla
for W.P.No.31315/2024
Mr.L.Jaivenkatesh
for W.P.No.31307, 31313, 31317/2024

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.4,21,210/-, Rs.4,49,809/-, Rs.7,27,225/- and Rs.8,26,661/- respectively payable to the petitioners to give adjustment in the current consumption charges payable by the petitioners till the entire outstanding amount is adjusted.



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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,



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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.

21.10.2024

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Palladam.
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9. The Superintending Engineer, TANGEDCO,
Udumalpet Electricity Distribution Circle,
Udumalpet.



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and 31317 of 2024

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