



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 23.10.2024

CORAM:

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

W.P.Nos.31556, 31559, 31561 and 31564 of 2024
and WMP.Nos.34297, 34301, 34302 and 34307 of 2024

Sunland Auto Looms
HTSC.No.039094320701
S.F.No.241/1, Kaniyur Village,
Karumathampatti,
Sulur Taluk, Coimbatore.
Rep.by its Authorised Signatory,
S.Paramasivam

...Petitioner in W.P.No.31556/2024

Prabath Mills,
HTSC.No.284,
Arul Industrial Estate, Arulpuram Post,
Tirupur-641 605,
rep.by its Manager,
S.Paramasivam

...Petitioner in W.P.No.31559/2024

Sri Sivajothi Spinning Mills (P) Ltd.,
HTSC.No.049094360089,
S.F.No.172, Kovai Road,
Polavapalayam Post,
Nambiyur-638 458,
Erode.
Rep.by its Authorised Signatory
S.Paramasivam
Kumaran Textiles,

...Petitioner in W.P.No.31561/2024



HTSC.No.039094390485,
S.F.No.172, Kovai Road, Polavapalayam Post,
Nambiyur-638 458,
Erode,
Rep.by its
Authorised Signatory,
S.Paramasivam

...Petitioner in W.P.No.31564/2024

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,
Udumalpet Electricity Distribution Circle,
Udumalpet.
5. The Superintending Engineer, TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam.
6. The Superintending Engineer,
TANGEDCO,
Coimbatore South Electricity Distribution Circle,



Coimbatore.

...Respondents in W.P.No.31556/2024

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1. Tamil Nadu Electricity Regulatory Commission,
Rep. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road)
Egmore, Chennai-600 008.
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,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.
5. The Superintending Engineer, TANGEDCO,
Tirupur Electricity Distribution Circle,
Tirupur.

...Respondents in W.P.No.31559/2024

1. Tamil Nadu Electricity Regulatory Commission,
Rep. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
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Egmore, Chennai-8.
2. The Chairman,
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No.144, Anna Salai, Chennai – 600 002.



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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,
Gobi Electricity Distribution Circle,
Gobichettipalayam-638 452.

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

...Respondents in W.P.No.31561/2024

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

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

...Respondents in W.P.No.31564/2024



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Prayer in W.P.No.31556 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.9,15,923/- (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.31559 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.2,47,490/- (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.31561 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



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respondents make payment of the outstanding dues of Rs.15,91,627/- (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.31564 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.15,97,689/- (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.No.31561/2024
Mr.L.Jaivenkatesh
for W.P.Nos.31556, 31564 &
31559/2024

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 respective outstanding dues 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



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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:-

“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



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

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Palladam Electricity Distribution Circle,
Palladam.

6. The Superintending Engineer,
TANGEDCO,
Coimbatore South Electricity Distribution Circle,
Coimbatore.
7. The Superintending Engineer, TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.
8. The Superintending Engineer, TANGEDCO,
Tirupur Electricity Distribution Circle,
Tirupur.
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Gobichettipalayam-638 452.
10. The Superintending Engineer, TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam.
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Tirunelveli Electricity Distribution Circle,
Tirunelveli.
12. The Superintending Engineer, TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam.



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M.DHANDAPANI, J.

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23.10.2024