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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2024

CORAM:

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

W.P.No.31446 and 31451 of 2024
and WMP.Nos.34151 & 34155 of 2024

Akila Textile Pvt. Ltd.,
3/1149, Attampalayam,
Velayuthampalayam Post,
Kovai Main Road, Avinashi,
Rep. By its Authorized Signatory K.Iyappan

...Petitioner in W.P.no.31446/2024

Kumaran Gin & Pressing Pvt. Ltd.,
S.F.No.33/1-B, Uthukulai Main Road,
Sarkar Periyapalayam,
Perundurai Taluk,
Rep. By its Authorized Signatory K.Iyappan

...Petitioner in W.P.no.31451/2024

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.



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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,
Palladam Electricity Distribution Circle,
Palladam.

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

...Respondents in W.P.no.31446/2024

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.

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

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

...Respondents in W.P.no.31451/2024



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Prayer in W.P.no.31446 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 HTSC No.039094340084 until the respondents make payment of the outstanding dues of Rs.38,79,818/- (for the months from of June 2020 to September 2023) 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.31451 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 HTSC No.039094390268 until the respondents make payment of the outstanding dues of Rs.16,67,193/- (June 2019 March and April 2020, May/December 2021 and July 2023 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.S.Lakshmipathy
in both the W.P.s'

For Respondents : Mr.L.Jaivenkatesh
In both the W.P.s'



COMMON ORDER

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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.



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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.

22.10.2024

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To:

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(TANGEDCO),
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19-A, Rukminilakshmipathy Salai,
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2. The Chairman,
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6. The Superintending Engineer, TANGEDCO,
Tuticorin Electricity Distribution Circle,
Tuticorin.
7. The Superintending Engineer, TANGEDCO,
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M.DHANDAPANI, J.

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W.P.No.31446 and 31451 of 2024

22.10.2024