



W.P.No.38585, 38588, 38589 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.38585, 38588, 38589 of 2024 and
W.M.P.No.41790, 41793, 41795 of 2024

Dandayuthapani Spinning Mills
HTSC No.039094320719,
SF No. 274/2A2, 2B2
Kammalapatti Village,
Chinnakammalappatti,
Sulur Taluk
Coimbatore

Rep by its

Authorised Signatory D.Sathyaprabhu ...Petitioner in W.PNo.38585/2024
Vs

M/s.Arul Devi Paper Mills Pvt Ltd

HTSC No.089094121256

Block A,

Flast St-1, Vinu Homes, No.5, Thirumal Nagar,

1st Main Road, Poonamallee

Chennai-600 056,

Repd By Its Authorised Signatory Feroz ..Petitioner in W.PNo.38588/2024

Venkatalakshmi Paper And Boards Private Ltd,

HTSC No.039094340210 ,

Kolumam Madathukulam Taluk

Tiruppur,

Repd, By Its

Accounts Manager, Suresh A

..Petitioner in W..PNo.38589/2024

Vs



W.P.No.38585, 38588, 38589 of 2024

1.The State Of Tamil Nadu

Rep by its Secretary to Government,

Energy Department, Fort St. George, Chennai 9

2.The Chairman And Managing Director,

TANGEDCO Ltd, 144 Anna Salai,

Chennai 2.

.... Respondents 1 and 2 in all W.P.'s.

3.The Superintending Engineer,

Coimbatore South Electricity Distribution Circle,

TamilNadu Generation and Distribution corporation ltd, TANGEDCO

Coimbatore

..... Respondent No.3 in W.P.No.38585/202

3.The Superintending Engineer,

Vellore Electricity Distribution Circle,

TamilNadu Generation and Distribution corporation ltd, TANGEDCO

Vellore.3.

..... Respondent No.3 in W.P.No.38588/202

3.The Superintending Engineer,

Udumalpet Electricity Distribution Circle,

TamilNadu Generation and Distribution corporation ltd,

TANGEDCO Udumalpet.

..... Respondent No.3 in W.P.No.38589/2024

PRAYER in W.P.No.38585 of 2024: Writ Petition is filed under Article 226 of the Constitution of India, to issue a 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. No.039094320719, as per the orders of the Honourable Supreme Court of India, New Delhi on 31.8.2012 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.



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PRAYER in W.P.No.38588 of 2024: Writ Petition is filed under Article 226 of the Constitution of India, to issue a 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. No.089094121256 as per the orders of the Honourable Supreme Court of India, New Delhi on 31.8.2012 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

PRAYER in W.P.No.38589 of 2024: Writ Petition is filed under Article 226 of the Constitution of India, to issue a 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. No.039094340210 as per the orders of the Honourable Supreme Court of India, New Delhi on 31.8.2012 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 in all W.P.'s : Mr.R.S.Pandiyaraj
For Respondent 1 in all W.P.'s : Mr.V.Jeevagiridharan
Additional Government Pleader

For respondents 2 & 3
in W.P.No.38585 & 38588/2024 : Mr.L.Jai Venkatesh
Standing Counsel (TNEB)



W.P.No.38585, 38588, 38589 of 2024

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For Respondents 2 & 3
in W.P.No.38589/2024 :

Mr.S.Madhusudanan
Standing Counsel (TNEB)

ORDER

These writ petitions are filed seeking issue of writ of mandamus forbearing the 2nd and 3rd respondents from demanding and collecting the tax on maximum demand charges from the petitioners in H.T.Sc. Nos.039094320719, 089094121256 and 039094340210 as per the orders of the Hon'ble Supreme Court of India, New Delhi dated 31.8.2012 in SLP (C) Nos. 24993 of 2012 and 25522 of 2012 etc., and Batch.

2. The issue involved in all these writ petitions are covered by the orders passed by this Court in W.P.No.26424 of 2024 and batch. The relevant portion of the above said order is extracted hereunder:-

“3.The issue raised in the present petition is being settled against the petitioner in terms of the Division Bench Judgment in W.P.Nos.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 Appeal (Civil) Nos.24685 to 24719 of 2012 dated 31.08.2012, with an 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”.

3. The petitioners herein are also entitled to the benefit of the very same interim order. Therefore, these writ petitions are disposed of in terms of the order passed by the Hon'ble Apex Court in the above mentioned Special Leave Petitions.



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4. It is agreed by both the learned counsel for the petitioners as well as respondents that the benefit conferred on the petitioners is subject to the result of the main SLP pending before the Hon'ble Supreme Court. No costs. Consequently, the connected miscellaneous petitions are closed.

17.12.2024

Index:Yes/No
Internet:Yes/No
nr

To

1. The Secretary to Government, Energy Department,
Fort St. George, Chennai 9
- 2.The Chairman And Managing Director,
TANGEDCO Ltd, 144 Anna Salai,
Chennai 2.
- 3.The Superintending Engineer,
Coimbatore South Electricity Distribution Circle,
TamilNadu Generation and Distribution corporation ltd, TANGEDCO
Coimbatore
- 4.The Superintending Engineer,
Vellore Electricity Distribution Circle,
TamilNadu Generation and Distribution corporation ltd, TANGEDCO
Vellore.3.
- 5.The Superintending Engineer,
Udumalpet Electricity Distribution Circle,

6/7



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TamilNadu Generation and Distribution corporation ltd,
TANGEDCO Udumalpet.

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S.SOUNTHAR, J.

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