



W.P(MD)Nos.10181, 10183 and 10359 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)Nos.10181, 10183 and 10359 of 2021
and
W.M.P.(MD)Nos.7888 to 7893 of 2021, 8030,
8031, 8033, 17009, 17013 and 17014 of 2021

M/s.Sri JayavilasSubbaraj Spinning Mills (P) Ltd.,
HTSC No.079094620150,
No.2/150, Kaloorani Road,
Tamilpadi post, Aruppukottai-626129
Virudhunagar
represented by its Director
V.PremSubbaraj

... Petitioner in
WP(MD)No.
10181 of
2021

M/s.Sree Koppammal Cotton Spinning Mills (P) Ltd.,
HTSC No.079094620262,
Sempatti,
Puliyuran post, Aruppukottai-626101
Virudhunagar District
represented by its Director
G.Thirumeninathan

... Petitioner in
WP(MD)No.
10183 of
2021



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M/s.Vijai Spinners (RJPM) Private Ltd.
HTSC No.079094620223,
No.18-A, Pugazhendhi Road,
Cotton Marker, Rajapalayam-626117,
Virudhunagar District
represented by its Manager
M.Ramesh

... Petitioner in
WP(MD)No.
10359 of
2021

Vs.

1. The Superintending Engineer,
TANGEDCO,
Virudhunagar Electricity Distribution Circle,
TNEB Complex,
65/21, Ramamoorthi Road,
Virudhunagar-626001.
2. The Accounts Officer/Revenue,
Office of the Superintending Engineer,
TANGEDCO,
Virudhunagar Electricity Distribution Circle,
TNEB Complex,
65/21, Ramamoorthi Road,
Virudhunagar-626001.
3. Tamil Nadu Electricity Regulatory Commission,
4th Floor,
SIDCO Corporate Office Building,
Thiru.Vi.Ka.Industrial Estate,
Guindy, Chennai-600032.
represented by its Secretary

... Respondents
in all the
petitions

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified



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Mandamus, to call for the records of the second respondent, with reference to the issuance of the impugned CC Bill Nos. H4620150042111, H4620262042111 and H4620223052111 dated 19.05.2021 and 15.06.2021 and quash the same, as illegal, arbitrary and against the provisions contained in Regulation 5(5)(v) of the Tamilnadu Electricity Supply Code 2004 and consequently direct the 1st and 2nd respondents to adjust the available excess security deposit of Rs.99,41,959/-, Rs.1,25,95,221/- and Rs.50,24,814/-, towards the petitioner's CC bill for April 2021 and May 2021 and in case of any balance of the excess security deposit is still available, it can be ordered to be adjusted in the remaining CC bills to be issued for the month of June 2021 onwards till it is fully adjusted, as provided under Regulation 5(5)(v) of the Tamilnadu Electricity Supply Code 2004.

(in all the petitions)

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.S.Deenadayalan
Standing Counsel

COMMON ORDER

These Writ Petitions are directed against the impugned CC bills for the month of April-2021 claiming Rs.38,63,946/-, Rs.24,32,337/- and Rs.17,91,273/- respectively.



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2. The learned counsel appearing for the writ petitioners would submit that even as per the letter of the first respondent, a sum of Rs.99,41,959/-, Rs.1,25,95,221/- and Rs.50,24,814/- was available with them as excess security deposit eligible for adjustment in future Current Consumption Bill/refund, that though as per the circular issued by the Tamil Nadu Electricity Regulatory Commission, Chennai, Tamil Nadu Electricity Supply Code Regulation 5(5)(v) where a request made by the consumer to adjust the excess security deposit above two future demands, the distribution licensee shall adhere to such requests and that despite specific request made by the writ petitioners, they have not adjusted for the future bills.

3. When the matter is taken up for hearing today, the learned counsel appearing for the writ petitioners as well as the learned Standing Counsel appearing for the respondents would submit that the excess amount has already been adjusted for the subsequent bills and as such, nothing survives for further adjudication.

4. Recording the submissions made on either side, these Writ



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Petitions are dismissed as infructuous. Consequently, connected

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Miscellaneous Petitions are closed. No costs.

08.04.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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K.MURALI SHANKAR, J

csn

Common Order made in
W.P.(MD)Nos.10181, 10183 and 10359 of 2021
and
W.M.P.(MD)Nos.7888 to 7893 of 2021, 8030,
8031, 8033, 17009, 17013 and 17014 of 2021

Dated : 08.04.2024