



W.P.(MD) No.7689 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

**W.P.(MD) No.7689 of 2016
and
W.M.P.(MD) No.6380 of 2016**

M/S.A.D.Textile,
represented by its Partner,
D.Senthilkumar

... Petitioner

/vs./

- 1.Tamilnadu Generation and Distribution Corporation Limited (TANGEDCO),
represented by its Chairman and Managing Director,
No.144, Anna Salai,
Chennai 2.
- 2.The Superintending Engineer,
Karur Electricity Distribution Circle,
Karur.
- 3.The Central Electricity Authority (CEA),
represented by its Chief Person,
6th Floor, Sewa Bhavan,
R.K.Puram, New Delhi



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4. Tamilnadu Electricity Regulatory Commission (TNERC),
represented by its Secretary,
No.19-A, Rukmani Lakshmipathy Salai,
(Marshall's Road),
Egmore, Chennai 8.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 2nd respondent in his proceedings Lr.No.SE/KEDC/KRR/DFC/AS/HT/F.Harmo/D.334/2015 dated 11.08.2015 and quash the same and consequently forbear the respondents 1 & 2, their men, agents, representatives and/or any one claiming through or under them from in any manner insisting on harmonic control and levying, demanding or collecting any charges or compensation for harmonics dumping from the petitioner firm in respect of their service connection number HT SC 55/Karur and further directing the 2nd respondent to refund the amount paid by the petitioner towards compensation charges pertaining to harmonic control either through the CC Bills or in any other manner.

For Petitioner : Mr.K.Suresh
For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

The present writ petition has been filed challenging the order passed by the second respondent in Lr.No.SE/KEDC/KRR/DFC/AS/HT/F.Harmo/D.334/2015



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dated 11.08.2015 and to forbear the respondents 1 and 2, their men, agents, representatives or any one claiming through or under them from in any manner insisting on harmonic control and levying, demanding or collecting any charges or compensation for harmonics dumping from the petitioner firm in respect of their service connection number HT SC 55/Karur and to direct the second respondent to refund the amount paid by the petitioner towards compensation charges pertaining to harmonic control either through the CC Bills or in any other manner.

2. The learned Standing Counsel appearing for the Department would submit that the Central Electricity Authority [Technical Standards for Connectivity to the Grid] Regulations, 2007, would indicate that the harmonic distortion would only be installed with subscribers having more than 33 KV and above connections and the same would not be applicable to the petitioner as the petitioner had availed only 11 KV connection.

3. Recording the said submission, the impugned order, dated 11.08.2015 passed by the second respondent is set aside. Even though the learned Counsel for



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the petitioner seeks for refund of amount, considering the fact that he has a regular consumer, the said amount shall be adjusted in the future bills of the petitioner. The learned Counsel for the petitioner would submit that incase the petitioner had alienated or converted the same to a private Company, such refund shall be adjusted to the connection available in the name of the petitioner. Acceded to his request, the respondents are also directed to adjust the amount paid by the petitioner towards demand made by them in the future bills of the connection standing in the name of the petitioner.

4. The writ petition stands disposed of with the above directions. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
Internet : Yes / No
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K.KUMARESH BABU, J.

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