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W.P.Nos.1773, 1881, 1891, 1895, 1889, 1898 and 3591 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.1773, 1881, 1891, 1895, 1889, 1898 and 3591 of 2024
And
W.M.P.Nos.1960, 1963, 1967, 1980, 1981, 1982, 1987, 1988,
1991, 1969, 1972, 1974, 1992, 1993, 1995, 3867, 3869 and
3871 of 2024

Hiranandani Brentwood Owners Association
Rep. by its Secretary,
Lopendra Kumar Omprakash ... Petitioner in W.P.1773/2024

Pinewood Owners Association
Rep. by its Secretary,
Mr.Rahul Ratnakar Deshmukh ... Petitioner in W.P.1881/2024

Birchwood Owners Association
Rep. by its Secretary,
Mrs.Shambhavi Pudupeddi ... Petitioner in W.P.1891/2024

Hiranandani Brentwood Owners Association
Rep. by its Secretary,
Lopendra Kumar Omprakash ... Petitioner in W.P.1895/2024

Bridgewood Owners Association
Rep. by its President,
Mr.Viswanathan Raghu ... Petitioner in W.P.1889/2024

Seawood Owners Association
Rep. by its Secretary,
Mr.Anil Atur ... Petitioner in W.P.1898/2024



W.P.Nos.1773, 1881, 1891, 1895, 1889, 1898 and 3591 of 2024

Greenwood Owners Association
Rep. by its Secretary,
Mr.Amitrajit Ghosh

... Petitioner in W.P.3591/2024

Vs.

1.Tamil Nadu Generation and Distribution Corporation
Represented by its Chairman,
10th Floor, NPKKR Maligai,
Anna Salai,
Chennai – 600 002.

2.Tamil Nadu Electricity Regulation Commission
No.19-A, Rukmani Lakshmipathi Road,
Anna Salai, Egmore,
Chennai – 600 008.

3.Assistant Engineer O&M,
Siruseri,
CEDC / South – II,
Chennai – 130.

4.Superintending Engineer,
CEDC / South – II,
Chennai – 113.

... Respondents in all the W.Ps.

5.Assistant Audit Officer,
Audit Branch, TANGEDCO,
Chennai South Region,
Anna Salai,
Chennai – 600 002.

... Respondent in in all the W.Ps.
except W.P.1773/2024

Prayer in W.P.No.1773 of 2024:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Certiorarified Mandamus calling for the records relating



W.P.Nos.1773, 1881, 1891, 1895, 1889, 1898 and 3591 of 2024

to the impugned notice dates 14.11.2018 bearing Ref.No.Lr.No.AE/O&M/SIRUSERI/F-Tariff/D-Camp/18-19/ Dt.14.11.2018 issued by the third respondent and quash the same as illegal and arbitrary and further direct the third respondent to adjust the sum of 18,10,200/- paid by the petitioner, towards Current Consumption Charges levied under Commercial Tariff of Service Nos.296-004-81, 296-004-85, 296-006-91, 296-006-92 and 296-006-93.

Prayer in W.P.No.1881 of 2024:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned notices bearing Audit Slip No.200 and Audit Slip No.208 dated 04.10.2023 passed by the fifth respondent and quash the same as illegal and arbitrary and direct the respondents 1 and 3 to reassess the Tariff and apply Tariff LT 1-D instead of LT-V or LM51 on all the service connections held by the petitioner herein.

Prayer in W.P.No.1891 of 2024:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned notices bearing Audit Slip No.199 dated 04.10.2023 for and Audit Slip No.223 dated 04.10.2023 passed by the fifth respondent and quash the same as illegal and arbitrary and direct the respondents 1 and 3 to reassess the Tariff and apply Tariff LT 1-D instead of LT-V or LM51 on all the service connections held by the petitioner.



W.P.Nos.1773, 1881, 1891, 1895, 1889, 1898 and 3591 of 2024

Prayer in W.P.No.1895 of 2024:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned notices bearing Audit Slip No.213, Audit Slip No.202, Audit Slip No.214 and Audit Slip No.203 dated 04.10.2023 passed by the fifth respondent and quash the same as illegal and arbitrary and direct the respondents 1 and 3 to reassess the Tariff and apply Tariff LT 1-D instead of LT-V or LM51 on all the service connections held by the petitioner.

Prayer in W.P.No.1889 of 2024:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned notices bearing Audit Slip Nos.220 and 238 dated 04.10.2023 issued by the first respondent and quash the same as illegal and arbitrary and direct the respondents 1 and 3 to reassess the Tariff and apply Tariff LT 1-D instead of LT-V or LM51 on all the service connections held by the petitioner herein.

Prayer in W.P.No.1898 of 2024:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned notices bearing Audit Slip Nos.246, 197, 219, 239, 218 dated 04.10.2023 passed by the fifth respondent and quash the same as illegal and arbitrary and direct the respondents 1 and 3 to



W.P.Nos.1773, 1881, 1891, 1895, 1889, 1898 and 3591 of 2024

reassess the Tariff and apply Tariff LT 1-D instead of LT-V or LM51 on all the service connections held by the petitioner herein.

Prayer in W.P.No.3591 of 2024:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned notices bearing Audit Slip No.204, Audit Slip No.221 and Audit Slip No.230 dated 04.10.2023 passed by the fifth respondent and quash the same as illegal and arbitrary and direct the respondents 1 and 3 to reassess the Tariff and apply Tariff LT 1-D instead of LT-V or LM51.

For Petitioners : Mr.Rohan Rajasekaran
For Respondents : Mr.L.Jai Venkatesh
Standing Counsel for TANGEDCO

COMMON ORDER

W.P.No.1773 of 2024 has been filed seeking issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned notice dated 14.11.2018 bearing Ref.No.Lr.No.AE/O&M/SIRUSERI/F-Tariff/D-Camp/18-19/ Dt.14.11.2018 issued by the third respondent and quash the same as illegal and arbitrary and further direct the third respondent to adjust the sum of 18,10,200/- paid by the petitioner, towards Current Consumption Charges levied under Commercial Tariff of Service Nos.296-004-81, 296-004-85, 296-



W.P.Nos.1773, 1881, 1891, 1895, 1889, 1898 and 3591 of 2024

006-91, 296-006-92 and 296-006-93.

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2.W.P.Nos.1881, 1891, 1895, 1889, 1898 and 3591 of 2024 have been filed seeking issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned notices dated 04.10.2023 passed by the fifth respondent and quash the same as illegal and arbitrary and direct the respondents 1 and 3 to reassess the Tariff and apply Tariff LT 1-D instead of LT-V or LM51 on the service connections held by the respective petitioners.

3.The learned counsel appearing for the petitioners submitted that the petitioners are registered body under the Tamil Nadu Societies Registration Act. The petitioners have been paying electricity charges at the domestic tariff for its common services since inception. Whiles, the respondents informed the petitioners that the existing service will be applicable only to specific electricity consumption and that the electricity service connection given to the petitioners is being utilized for commercial purposes and made the impugned demand. The learned counsel further submitted that the respondents threatened the petitioners that unless the petitioners convert the tariff to commercial tariff and pay the amount demanded by them, they would



W.P.Nos.1773, 1881, 1891, 1895, 1889, 1898 and 3591 of 2024

dis-connect the electricity service connection. The learned counsel further submitted that similar issue has already been considered by this Court in ***W.P.Nos.15041 of 2019 etc batch [M/s.The Central Park South Owners Association and others Vs. Tamil Nadu Generation and Distribution Corporation Limited and others]*** dated **15.09.2021**, wherein this Court quashed the demand impugned therein.

4.It is useful to extract hereunder the relevant portion of the decision of this Court in ***W.P.Nos.15041 of 2019 etc batch [M/s.The Central Park South Owners Association and others Vs. Tamil Nadu Generation and Distribution Corporation Limited and others]*** dated **15.09.2021**:

"6.In the considered view of this Court, the action taken by the respondents has to be characterized as hasty without any basis. It is clear from the tariff order in T.P. No.1 of 2017, dated 11.08.2017 issued by the Regulatory Commission that the LT Tariff 1-A is made applicable to all those categories falling under Clause 6.2.2.1. For the sake of convenience, Clause 6.2.2.1 (h) and (i) are extracted hereunder:



W.P.Nos.1773, 1881, 1891, 1895, 1889, 1898 and 3591 of 2024

(h) In respect of multi tenements/residential complexes supply used for common lighting, water supply, lift provided 4 only to the residents alone shall be given a separate connection and in case of more than one block in a premise, only one service shall be given for each block for common lighting, water supply and lift provided only to the residents.

(i) In respect of multi tenements/ multi-storey flats/residential complexes having both domestic and non domestic utilities, common facilities such as common lighting, common water supply, lift will be charged under this tariff only if the non-residential built up area does not exceed 25% of the total built up area.

7. It is clear from the above that the tariff order has clearly provided for LT connection even for multi-tenements or residential complexes and it has been made clear that the same will not apply only where the non residential built up area exceeds 25% of the total built up area. Only under those circumstances, LT Tariff V will apply and those cases are covered under Clause 6.2.13.2 of the



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W.P.Nos.1773, 1881, 1891, 1895, 1889, 1898 and 3591 of 2024

tariff order.

8.In the present case, all the petitioners are governed under clause 6.2.2.1 and there is absolutely no basis for the respondents who have come to the conclusion that the petitioners have misused the energy supplied to them or that the petitioners have put the energy supplied to them for commercial usage. The impugned demand made by the respondents is completely contrary to the tariff order issued by the Regulatory Commission.

9.In the present case, it is quite unfortunate that the associations had given a detailed explanation after receipt of the provisional assessment order and even this was not taken into consideration by the TANGEDCO before issuing the final order and making the demand from the associations.

10.In view of the above discussion, there are absolutely no grounds to sustain the impugned demands raised by the respondents and it is a clear abuse of process of law and misuse of power which was used against the



W.P.Nos.1773, 1881, 1891, 1895, 1889, 1898 and 3591 of 2024

innocent residents in a residential complex.

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11.As a result, all the impugned demands are hereby quashed and accordingly all these writ petitions are allowed. It is made clear that if the associations have made the payment pursuant to the demand made by the respondents, the same shall either be refunded or adjusted towards the future payment for current consumption. No Costs. Consequently, connected miscellaneous petitions are closed.

5.Applying the ratio laid down in the decision cited supra, the impugned demands are hereby quashed and accordingly all these writ petitions are allowed. It is made clear that if the petitioners have made the payment pursuant to the demand made by the respondents, the same shall be adjusted towards the future payment for current consumption.

6.The writ petitions are allowed. No costs. Consequently, the connected miscellaneous petitions are closed.

10.11.2025

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W.P.Nos.1773, 1881, 1891, 1895, 1889, 1898 and 3591 of 2024

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

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W.P.Nos.1773, 1881, 1891, 1895, 1889, 1898 and 3591 of 2024

M.DHANDAPANI,J.
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1889, 1898 and 3591 of 2024
And
W.M.P.Nos.1960, 1963, 1967, 1980,
1981, 1982, 1987, 1988, 1991, 1969,
1972, 1974, 1992, 1993, 1995,
3867, 3869 and 3871 of 2024**



WEB COPY



W.P.Nos.1773, 1881, 1891, 1895, 1889, 1898 and 3591 of 2024

10.11.2025