



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 20035 of 2016
& WMP.No.17268 of 2016**

M/s.Rollatainers Ltd., rep.
By its Manager M.Kannan,
S/o.C.M.Mohanam,
Plot No.84, SIPCOT (Phase – I)
Hosur – 635 109,
Krishnagiri District.

Petitioner(s)

Vs

1.The Chairman,
Tamilnadu Generation and Distribution
Corporation Ltd., 10th Floor, NPKRR
Maaligai, 144, Anna Salai,
Chennai-600 006.

2.The Superintending Engineer,
Tamilnadu Generation and
Distribution Corporation Ltd.,
Krishnagiri Electricity Distribution
Circle, Krishnagiri – 635 002,
Krishnagiri District.



3.The Superintending Engineer,
Tamilnadu Generation and
Distribution Corporation Ltd.,
Tirunelveli Electricity Distribution
Circle, Tirunelveli, Tirunelveli District.

4.The Superintending Engineer,
Tamilnadu Generation and
Distribution Corporation Ltd.,
North Chennai Electricity Distribution
Circle, North Chennai,
Mount Road, Chennai.

5.M/s.Prathyusha Power Gen Pvt., Ltd.,
Rep. by the Managing Director,
103, Prince Towers,
No.25/26, College Road,
Chennai – 600 006.

6.Bhatia Coke & Energy Ltd.,
Rep. by the Managing Director,
Ketnalmalle Village,
Gummidipoondi – 601 201.
Thiruvallur District.

7.E.Saravanan,
Proprietor,
M/s.E.S.Logic Power,
Door No.16, HIG, New Housing Board,
Second Phase, Krishnagiri – 635 001,
Krishnagiri District.

Respondent(s)



Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari calling for the records pertaining to the impugned order made in Lr.No.SE/KEDC/KGI/DFC/AAO-HT/AS-HT/RCS-HT/F.HT SC 247/D No.435/16 dated 07.06.2016 passed by the 2nd respondent, quash the same.

For Petitioner(s): Mr.N.Manokaran

For Respondent(s): Mr.J.Ravindran,
Additional Advocate General
Asst. by Mr.L.Jaivenkatesh
for RR1 to 4
R5 & R7 – not ready in notice
R6 – No appearance

ORDER

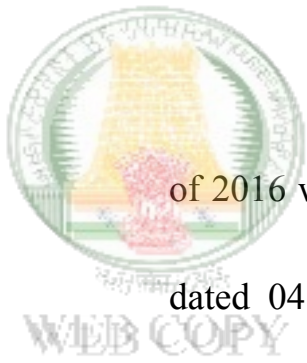
This Writ Petition has been filed seeking for a Writ of Certiorari calling for the records pertaining to the impugned order made in Lr.No.SE/KEDC/KGI/DFC/AAO-HT/AS-HT/RCS-HT/F.HT SC 247/D No.435/16 dated 07.06.2016 passed by the 2nd respondent and to quash the same.

2.The case of the petitioner is that the petitioner company is engaged in the process of manufacturing and supplying crank shaft to the Hero Honda



bikes. It has employed 150 workers. It is provided with High Tension electricity supply in S.C.No.247 with the sanctioned demand 2000 KVA. Petitioner company is also purchasing the power from third party source through the traders. For that purpose, the consumer has to get NOC from the 2nd respondent whereupon SLDC approval will be granted to purchase power from third party source. The 7th respondent is the trader who entered into an agreement with the power generators/respondents 5 and 6. The respondents 3 and 4 at the generation point used to record the readings from the generators/respondents 5 and 6, and the injection statement prepared by the respondents 3 and 4 will be sent to the 2nd respondent for preparing the final bill.

3. On the basis of the final bill prepared by the 2nd respondent, the petitioner unit has to pay the consumption charges to the TNEB less the amount payable to the trader on the basis of the injection statement sent by the respondents 3 and 4. Suddenly, the 2nd respondent has issued a notice dated 10.03.2016 claiming short levy charges of Rs.98,69,473/- for the period between 11/2014 and 03/2015. Thereafter, the petitioner has filed W.P.No.12365



of 2016 was filed against the order dated 10.03.2016 and this Court Vide order dated 04.04.2016 remanded the matter back to the 2nd respondent for fresh disposal. Thereafter, the impugned order has been passed by the 2nd respondent after hearing the petitioner and the respondents 3 to 7 and a demand has been made for Rs.93,30,248/- and the same is challenged in this Writ Petition.

4.The learned counsel for the petitioner would submit that without conducting proper enquiry by calling the generators and traders, the second respondent has unilaterally arrived at a conclusion and has passed the impugned order, which is not a sustainable one and is clearly in violation of natural justice. Apart from that, the generator has not come before this Court to put forth whether the electricity is injected in the corridor maintained by the respondent TANGEDCO, in which the petitioner has no role to play. The approval of injection statement, is between the generator and the Electricity Board. However, all these points have not been properly adjudicated by the original authority. On the sole ground, the present Writ Petition has been filed.



5.Mr.J.Ravindran, learned Additional Advocate General, asst. by Mr.L.Jai Venkatesh, learned counsel for the respondents 1 to 4 would submit as against the order passed by the second respondent, there is an effective appeal remedy available before the Consumer Grievance Redressal Forum and also before the Tamilnadu Electricity Regulatory Commission and hence, without exhausting the above said remedy, filing the present Writ Petition is not sustainable one. The learned Additional Advocate General further submitted that an Expert Committee has been constituted for deciding the appeal as against the original authority order and by-passing the same, and filing the present Writ Petition is not a sustainable one. Accordingly, he prays that the present Writ Petition be dismissed.

6.Heard the learned counsel for the petitioner and the learned Additional Advocate General for the respondents 1 to 4 and perused the materials available on record.



7. Since there is an effective appeal remedy available before the Consumer Grievance Redressal Forum and also before the Tamilnadu Electricity Regulatory Commission, by-passing the same and filing the present Writ Petition is not sustainable one and therefore, the Writ Petition stands dismissed, however, liberty is granted to the petitioner to file an appeal before the Consumer Grievance Redressal Forum or before the Tamilnadu Electricity Regulatory Commission for appropriate remedy and the period pending before this Court is excluded, for the purpose of limitation. No costs. Consequently, the connected miscellaneous petition is closed.

24-09-2025

Tsg

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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