



W.P.No.18767 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 24.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.18767 of 2024

and

WMP.Nos.20577, 20578, 20579 & 20580 of 2024

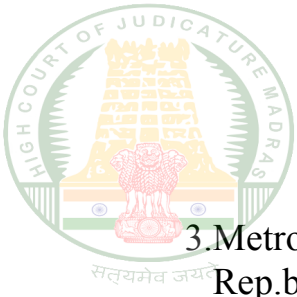
KSR Recyclers Pvt.Ltd
Rep.by its Director
No.36, 1st Floor
New Avadi Road, Kilpauk
Chennai 600 010.

... Petitioner

Vs.

1.Tamil Nadu Generation and
Distribution Corporation (TANGEDCO)
Represented by its Chairman and Managing Director
144, Anna Salai
Chennai 600 002.

2.The Superintending Engineer, CEDC/North
TANGEDCO
144, Anna Salai
Chennai 600 002.



W.P.No.18767 of 2024

3.Metro Castings Pvt.Ltd
Rep.by its authorised signatory
No.127, 1st Floor
Linghi Chetty Street
Chennai 600 001.

4.Varma Steel and Forgings Ltd
Rep.by its authorised signatory
B8/W2, SIPCOT Industrial Complex
Gummidipoondi 601 201.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records in Lr.No.SE/CEDC/N/HT/DFC/N/AAO/AO/F.2106/D.198/23 dated 14.08.2023 issued by the second respondent issued and quash the same as arbitrary, illegal and contrary to the provisions of the Electricity Act, 2003 and the Regulations issued pursuant thereto and consequently direct the 1st and 2nd respondents to process the petitioner's application for service connection dated 19.11.2022 in Ref.No.20001095112267 for Plot.No.B-A(N), SIPCOT Industrial Park, Gummudipoondi, and forbear the respondents, their men, officers, subordinates, employees or any other person(s) claiming and/or acting under them from in any manner levying and/or demanding any sum(s)



W.P.No.18767 of 2024

towards current consumption arrears in respect of any pending dues for
WEB COPY service connections other than those belonging to the petitioner.

For Petitioner : Mr.Rahul Balaji

For Respondents : Mr.M.Suresh Kumar
Additional Advocate General
Mr.LJai Venkatesh for R1 & R2
(TANGEDCO)

ORDER

This Writ Petition is filed calling for the records relating to the order dated 14.08.2023 issued by the second respondent and to quash the same and consequently, direct the first and second respondents to process the petitioner's application for service connection dated 19.11.2022 at Plot No.B-A (N), SIPCOT Industrial Park, Gummudipoondi.

2. On a perusal of impugned demand letter dated 14.08.2023, it can be seen that when the petitioner has acquired its property from one Metro Castings Pvt.Ltd and Varma Steel and Forgings Ltd in respect of the



W.P.No.18767 of 2024

WEB COPY

connections held by them there are CC charges arrears that were due even after adjusting the security deposit. Claiming those CC charges to the tune of Rs.25,53,206/-, Rs.33,84,961 and Rs.8,50,377 respectively, along with the belated payment surcharge being Rs.1,20,25,600/-, Rs.1,55,36,971/-, Rs.34,31,271/- respectively, the demand is totally made for a sum of Rs.4,05,16,152/- for the purpose of effecting the connection.

3. After hearing both the learned counsel, it can be seen that the Madurai Bench of this Court has considered the issue in detail in WP.(MD).No.6807 of 2016. This Court speaking through Hon'ble Mr.Justice B.Pugalendhi had considered the relevant judgements of the Hon'ble Supreme Court in that regard and held that whenever a subsequent purchaser purchases the expense of property, in respect of the actual arrears alone can be insisted to be paid at the time of granting reconnection for granting fresh connection. While the belated payment surcharge arrears can be claimed from the erstwhile owners of the property wherever there is a long gap between the actual date of arrears and the date on which the demand is raised.



W.P.No.18767 of 2024

4. Both sides learned counsel would agree on the said legal

WEB COPY position.

5. In view thereof, the learned counsel for the respondents would submit that if the petitioner pays all the three charges amounts, which is claimed from the petitioner, reconnection will be effected and the surcharge will be collected from the erstwhile owners.

6. In view thereof, this Writ Petition is ordered on the following terms:

(i) The impugned order dated 14.08.2023 shall stand quashed. The petitioner shall pay the sum of Rs.25,53,206/-, Rs.33,84,961 and Rs.8,50,377 in total, a sum of Rs.65,88,544/- within a period of four weeks from the date of receipt of the web copy of this order, without waiting for the certified copy of the order;

(ii) Upon payment of such amount, the respondents shall effect the reconnection. The respondents will also be at liberty to proceed against the erstwhile owners in respect of the belated payment surcharge proceedings. Within two weeks from



W.P.No.18767 of 2024

the date of payment the connection and reconnection shall be effected.

(iii) No costs. Consequently, connected Miscellaneous Petitions are closed.

24.04.2025

Neutral Citation : No
dna

To

1. Tamil Nadu Generation and
Distribution Corporation (TANGEDCO)
Represented by its Chairman and Managing Director
144, Anna Salai
Chennai 600 002.

2. The Superintending Engineer, CEDC/North
TANGEDCO
144, Anna Salai
Chennai 600 002.



WEB COPY



W.P.No.18767 of 2024

D.BHARATHA CHAKRAVARTHY, J.
dna

W.P.No.18767 of 2024
and
WMP.Nos.20577, 20578, 20579
& 20580 of 2024

24.04.2025