IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 24862 of 2025
and WMP No. 28022 of 2025

M/s.LMW Limited
(Formerly Lakshmi Machine Works Ltd)
HTSC No.039094320072
Arasur Village, Coimbatore 641 407
Rep. by its Company Secretary
C.R.Shiv Kumaran

Petitioner(s)

Vs

1. Tamilnadu Electricity Regulatory Commission
4th Floor, SIDCO Building,
Thiru.Vi.Ka.Industrial Estate,
Guindy, Chennai-600 032,
Rep By Its Secretary

2.The Chairman,
Tamil Nadu Power Distribution Corporation Ltd (TNPDCL)
144, Anna Salai,
Chennai- 600 002.

3.Director Finance
Tamil Nadu Power Distribution
Corporation Ltd
144, Anna Salai, Chennai- 600 002 .

4.The Superintending Engineer (TNPDCL),
Coimbatore South Electricity
Distribution Circle, Coimbatore

5.The Superintending Engineer
(TNPDCL),
Theni Electricity Distribution Circle,
Udumalpet.

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the Respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner until the respondents makes payment of the outstanding dues of Rs.16,72,031/- for the year of 2023-2024 payable to the Petitioner or give adjustment in the current consumption charges payable by the petitioners till the entire amount is adjusted.

For Petitioner(s): Mr.R.S. Pandiyaraj

For Respondent(s): Mr.L.Jaivenkatesh
Standing Counsel

ORDER

This writ petition is filed with a prayer to forbear the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner until the respondents makes payment of the outstanding dues of Rs.16,72,031/- for the year of 2023-2024 payable to the Petitioner or give adjustment in the current consumption charges payable by the petitioners till the entire amount is adjusted.

2. When the matter came up for admission, the learned counsel for both sides would submit that the matter is no longer *res integra* and in several matters, this Court has passed earlier orders. It can be seen that in one such order in W.P.No.38309 of 2024, the writ petition is disposed of on the following terms and the entire order from paragraph No. 2 to 8 is extracted hereunder:-

> *"2. The petitioner herein seeks issue of Writ of Mandamus, forbearing the respondents from collecting current consumption charges, demand charges and any arrears from the petitioner until the respondents make*

payment of outstanding dues of Rs.35,41,322/- payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

3. It is the case of the petitioner that it involves in the manufacture of yarn Products having High Tension Electricity Supply and the petitioner had erected Wind Energy Generators, which generates power and the petitioner utilised the portion of the electric energy generated by it and surplus was supplied to the respondents.

4. As per the details furnished by the 4th respondent, the petitioner supplied energy to the respondents for value of Rs.35,41,322/- upto March-2024. The petitioner raised invoice for encashment of the above said amount based on the applicable tariff and the same has not been honoured by the respondents. Therefore, the petitioner has come before this Court with a prayer seeking adjustment of the amount due to the petitioner from TANGEDCO/respondents 2 to 5. The petitioner submitted a representation on 26.04.2024 enclosing statement downloaded from the website of the TANGEDCO. Therefore, there is no dispute with regard to *the quantum payable by TANGEDCO to the petitioner towards electricity supplied by it.*

5. Heard the argument of learned counsel appearing for the petitioner and Mr.Syed Sibuthullah, learned Standing Counsel (TNEB), who is taking notice for the respondents.

6. This Court in similar cases in W.P.No.31140 of 2024, dated 19.10.2024 batch cases, passed the following orders:-

> *"3. The learned Single Judge of this Court, vide order dated 28.10.2021 made in W.P.Nos.6776 of 2020 etc., batch in the case of M/s.Rajaguru Spinning Mills P. Ltd., Vs. The Tamil Nadu Electricity Regulatory Commission, in identical circumstances which was also relied upon by the learned counsel for the petitioner held as under:-*
>
> *"11. In view of the above, all these Writ Petitions are Disposed of with the following directions:-*

(a) In all those cases where the TANGEDCO has acted upon the interim orders passed bythis Court and the entire outstanding amounts due and payable has been adjusted, those writ petitions will be rendered infructuous since the grievance of those petitioners stands redressed;

(b) In those cases where the TANGEDCO is in the process of adjusting the outstanding amount due, such adjustment shall be continued till the entire outstanding amount is adjusted towards the current consumption charges / open access charges payable by the respective petitioners and

(c) The TANGEDCO shall not take any coercive steps to disconnect the electricity connection to the petitioners until the outstanding amounts due and payable is completely adjusted towards the current consumption charges/open access charges payable by the petitioners."

4. In view of the above fact that the earlier Writ petitions involving similar issue being *disposed of by this Court in the aforesaid terms, the present Writ Petitions also stand disposed of in terms of the above said order of this Court dated 28.10.2021 made in W.P.Nos.6776 of 2020 etc., batch. No costs. Consequently, connected M.Ps are closed."*

7. Therefore, this Court is also inclined to pass similar order by directing the respondents 2 to 5 to adjust the amount of Rs.35,41,322/- payable by the respondents to the petitioner towards the electricity supplied to them by the petitioner, with the current consumption charges, demand charges payable by the petitioner, till the entire amount is adjusted or exhausted. The respondents shall not take any coercive steps against the petitioner for disconnection of power supply till entire outstanding amount payable to the petitioner by respondents gets adjusted towards current consumption charges, demand charges etc., payable by the petitioner.

8. With this direction, the Writ Petition stands disposed of. No costs. Consequently, the connected writ miscellaneous petition closed.

3. Accordingly, this writ petition shall stands disposed of in similar terms with a direction to the respondents to adjust the amount of Rs.16,72,031/- for the year of 2023-2024 payable by the respondents to the petitioner towards the electricity supplied to them by the petitioner, with the current consumption charges, demand charges payable by the petitioner, till the entire amount is adjusted or exhausted. The respondents shall not take any coercive steps against the petitioner for disconnection of power supply till entire outstanding amount payable to the petitioner by respondents gets adjusted towards current consumption charges, demand charges etc., payable by the petitioner. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

09-07-2025
(2/3)

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
ssr

To

1. Tamilnadu Electricity Regulatory Commission
4th Floor, SIDCO Building,
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Rep By Its Secretary

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N.ANAND VENKATESH J.

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