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WP No. 8457 of 2017



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 8457 of 2017
& WMP.No.9256 of 2017**

M/s.Umasankar Alloys(P)Ltd.,
Rep.by its Manager, V.Govindkumar,
Plot No.39, SIPCOT(Phase-II),
Industrial Complex, Hosur - 635 109.

Petitioner(s)

Vs

1.The Chairman,
Tamil Nadu 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.,



Tuticorin Electricity Distribution
Circle,
Tuticorin

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4.M/s.Rajkumar Impex Pvt., Ltd.,
119, St.Marry's Road,
Abhiramapuram,
Chennai – 600 018.

5.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 has been 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/RCS/F.Audit/D.No.763/2017 dated 17.03.2017 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 3
R4 – No appearance
R5 – Not ready in notice

**ORDER**

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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/RCS/F.Audit/D.No.763/2017 dated 17.03.2017 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 mild steel ingots which is being used in rolling mills for producing TMT bars, CTD Bars MS Round, Angles etc., for Building Constructions. As the 1st respondent introduced quota system for consumption of electricity due to shortage of power supply in the State, the petitioner was forced to procure power from the third party sources. The Petitioner company is also utilizing the third party power supplied by the 4th respondent through a trader viz 5th respondent herein, for which, the petitioner company obtained NOC from the 2nd respondent and had given the same to the 5th respondent. After completion of the above process of getting No Due Certificate SLDC, the petitioner unit gets power supply from the Board.



3. The Petitioner Company has to pay the charges separately to the Board less the amount determined for the third party power supply through the trader/5th respondent. The Monthly bill is being prepared by the 2nd respondent on the basis of the injection statement of 3rd respondent at the generating point. While that being so, the 2nd respondent had issued a notice on 26.12.2016 claiming short levy of charge of Rs.7,75,456/- on the basis of the undisclosed review of power injection statement. Thereafter, the petitioner has filed an objection dated 10.01.2017 before the second respondent, however, without consider the same, the second respondent has proceeded to pass the impugned order directing the petitioner to pay the short levy amount of Rs.7,75,456. Challenging the same, the present Writ Petition has been filed.

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 3 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.



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6. Heard the learned counsel for the petitioner and the learned Additional Advocate General for the respondents 1 to 3 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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Tamil Nadu Generation and
Distribution Corporation Ltd, 10 Floor,
NPKRR Maaligai, 144, Anna Salai,
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- 2.The Superintending Engineer,
Tamilnadu Generation and Distribution
Corporation Ltd., Krishnagiri
Electricity Distribution Circle,
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