



W.P.No.39630 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

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and

W.M.P.Nos.44513 & 44515 of 2025

N.S.P.Knitting Mills,
HTSC 039094390419,
S.F.No.163, Veeranampalayam,
Muthur Road, Kangayam,
Kangayam – 638 701, Tiruppur,
repd. its Authorised Signatory Murlitharan ... Petitioner

Vs.

- 1.Tamilnadu Electricity Regulatory Commission,
4th Floor, SIDCO Corporate Office Building,
Guindy, Chennai – 600 032,
Represented by its Secretary.
- 2.Tamil Nadu Power Distribution Corporation Limited (TNPDC),
10th Floor, 144, Anna Salai,
Chennai – 600 002,
Represented by its Chairman and Managing Director
- 3.The Superintending Engineer,
Palladam Electricity Distribution Circle,
TNPDC,
Palladam.
- 4.The Accounts Officer/Revenue,
The Superintending Engineer office,



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Palladam Electricity Distribution Circle,
TNPDC,
Palladam.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent's impugned notice bearing Lr.No.SE/PEDC/PLDM/DFC/AO/AAO/HT/AS/F.BOAB/D 606/2025 dated 24.06.2025, and consequential impugned CC bill dated 07.03.2025 insofar as it relates to Serial No.22 'Adjustment Charges (not affecting)' towards a sum of Rs.45,52,791/- alone issued by the 4th respondent and quash the same as illegal, arbitrary, against principles of natural justice, contrary to the 2nd respondent's own Circular Memo dated 03.02.2016 and consequently direct the 3rd respondent to give copy of the audit slip no.83 dated 02.11.2023 and an opportunity of personal hearing before passing orders.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel

ORDER

This Writ Petition has been filed by the petitioner seeking a Writ of Certiorarified Mandamus, to call for the records of the impugned notice issued by the 3rd respondent bearing Lr.No.SE/PEDC/PLDM/DFC/AO/AAO/HT/AS/F.BOAB/D 606/2025 dated 24.06.2025, and



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consequential impugned CC bill dated 07.03.2025 insofar as it relates to Serial No.22 'Adjustment Charges (not affecting)' towards a sum of Rs.45,52,791/- alone issued by the 4th respondent and quash the same as illegal, arbitrary, against principles of natural justice, contrary to the 2nd respondent's own Circular Memo dated 03.02.2016 and consequently, to direct the 3rd respondent to give copy of the audit slip no.83 dated 02.11.2023 and an opportunity of personal hearing before passing orders.

2. Mr.L.Jai Venkatesh, learned Standing Counsel, accepts notice on behalf of the respondents. With the consent of the learned counsel for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that it is a knitting industry having a High Tension Electricity Supply in HTSC No.039094390419 and has been providing employment to around 100 persons. In the State of Tamil Nadu, the power tariff charged on HT consumers by the respondent-TANGEDCO is increasing by 5% every year from 10.09.2022 onwards. As seen above, there is an abnormal raise in the tariff each year when compared with many of the other States in the country. The increase in



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peak hour duration from six hours to eight hours and the raise in peak hour charges from 20% to 25% are significant. However, without any agitation, the petitioner has been paying these rates regularly from 10.09.2022 onwards. Since the respondent-Board was not able to provide sufficient power, the petitioner was compelled to purchase power from third party sources and from Indian Energy Exchange and accordingly, made use of such power procured after paying the applicable charges to the respondents under the provisions of Electricity Act, 2003 and also under the TNERC-Intra State Open Access Regulations 2005. Accordingly, the respondent-Board was permitting the petitioner to buy power from outside agencies during all these years. While the fact being so, to the shock and surprise of the petitioner, the 4th respondent has issued a demand notice, dated 24.06.2025, demanding a sum of Rs.45,52,791/- towards alleged short-levy of excess demand and energy charges for the period of 2019 – 2020 without any basis which is illegal, arbitrary, without authority of law and against the orders of the 1st respondent. Subsequently, the 4th respondent has included the impugned demand amount in the petitioner's CC bill dated 07.10.2025. Aggrieved by the demand notice and the CC bill, the petitioner has filed the above writ petition before this Court.



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4. The learned counsel for the petitioner submits that the respondent-Board ought to have granted adequate opportunity to the petitioner and have gravely erred in bi-passing the principles of natural justice. Hence, he submitted that the impugned order passed by the 3rd respondent is wholly unsustainable and the same may be set aside and remanded to the 3rd respondent for fresh consideration.

5. On the above contentions, heard the learned Standing Counsel appearing for the respondents and perused the materials available on record.

6. Admittedly, without affording any opportunity to the petitioner, the 3rd respondent has issued the impugned demand notice against the petitioner, directing the petitioner to pay a sum of Rs.45,52,791/-, which is in clear violation of principles of natural justice. On the sole ground, this Court is inclined to set aside the impugned demand notice issued by the 3rd respondent.



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7. Accordingly, the impugned demand notice dated 24.06.2025 is set aside and the matter is remanded to the 3rd respondent for fresh consideration. While re-considering the same, the 3rd respondent shall issue a show cause notice to the petitioner and thereafter pass appropriate orders, on merits and in accordance with law. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

8. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected writ miscellaneous petitions are closed.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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Note: Issue order copy on 27.10.2025.



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To
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Tamilnadu Electricity Regulatory Commission,
4th Floor, SIDCO Corporate Office Building,
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- 2.The Chairman and Managing Director,
Tamil Nadu Power Distribution Corporation Limited (TNPDC),
10th Floor, 144, Anna Salai,
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- 3.The Superintending Engineer,
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- 4.The Accounts Officer/Revenue,
The Superintending Engineer office,
Palladam Electricity Distribution Circle,
TNPDC, Palladam.



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M.DHANDAPANI, J.

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