

W.P.(MD).No.11442 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.11442 of 2025
and W.M.P.(MD)No.8476, 8478, 8481, 8486 of 2025

Vedanta Limited,
Unit : Meelavittan Power Station,
Rep. by its Authorised Signatory,
A.Sumathi.

... Petitioner

-VS-

1. Tamil Nadu Power Distribution Corporation Ltd., (TNPDC),
Rep. by its Chairman,
NPKRR Maligal,
144, Anna Salai,
Chennai 600 002.
2. Chief Financial Controller/Revenue,
7th Floor Eastern Wing,
TNPDC, NPKRR Maligai,
Chennai 600 002.
3. Director (Finance),
TNPDC, NPKRR Maligai,
144, Anna Salai,
Chennai 600002.
4. The Superintending Engineer,
Tuticorin EDC
TNPDC, Tuticorin - 2.



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5. The Superintending Engineer - Operations,
TANTRANSCO, Tirunelveli Region,
Maharaja Nagar,
Tirunelveli 627 011.

6. Tamil Nadu Transmission Corporation Limited (TANTRANSCO),
NPKRR Maaligai ,
144, Anna Salai,
Chennai 600 002.
Tamil Nadu, India.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the 3rd respondent TNPDC in the Impugned Demand dated 21.06.2022 bearing reference Lr.No.SE/EDC/DFC/AO/REV/AAOHT/AS2/F.HT.284/D.381/22, and Impugned Demand dated 04.05.2021, bearing reference Lr.No.SE/TEDC/TTN/AEE/AE/DVT/F.HT.N.D/D.No.714/21. insofar as it seeks payment of salaries of the respondent TNPDC's staff at the 230 KV Switching Station of TNPDC and quash the same as being arbitrary, illegal and ultra vires the Electricity Act 2003 and the Regulations framed thereunder, and to consequently direct the respondents to refund the amounts so collected thereunder and to forbear from levying or collecting any such charges from the petitioner, in contravention of the Electricity Act, 2003, and the Regulations framed thereunder.

For Petitioner : Mr.Raguvaran Gopalan

For Respondents : Mr.S.Deenadhayalan



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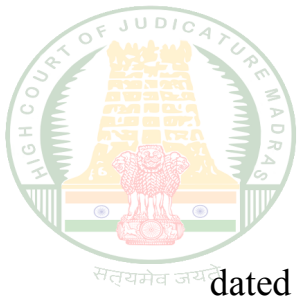
ORDER

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This writ petition has been filed challenging the impugned demand notice dated 21.06.2022 bearing reference Lr.No.SE/EDC/DFC/AO/REV/AAOHT/AS2/F.HT.284/D.381/22, and Impugned Demand dated 04.05.2021, bearing reference Lr.No.SE/TEDC/TTN/AEE/AE/DVT/F.HT.N.D/D.No.714/21, insofar as it seeks payment of salaries of the respondent TNPDC's staff at the 230 KV Switching Station of TNPDC and also to direct the respondents to refund the amounts so collected thereunder and to forbear from levying or collecting any such charges from the petitioner, in contravention of the Electricity Act, 2003, and the Regulations framed thereunder.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. The case of the petitioner is that the Electricity Board demanded payments from the petitioner for the salaries of its staff at 230 KV Switching Station for commencement of power supply to the petitioner's operations at Tuticorin and the same was also collected. However, the impugned order



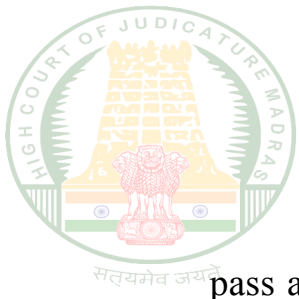
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dated 04.05.2021 has been passed demanding money and consequential order dated 21.06.2022 has also been issued disconnecting HT SC No.284 & 370 due to pending payment. In this regard, the petitioner has sent a reply to the respondents seeking refund of staff charges paid under protest on 01.06.2023 and he has also sent a reminder letter dated 05.06.2024 to the respondents. Since the same has not been considered till date, petitioner has filed the present Writ Petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the respondents to consider the reply submitted by the petitioner dated 01.06.2023 and the reminder letter dated 05.06.2024, on its own merits and



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pass appropriate orders in accordance with law, after giving due opportunity to the petitioner as well as all other persons, who may be necessary in the subject matter, within a period of two weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

6. With the above observations and directions, the Writ Petition stands disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

24.04.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.11442 of 2025

Dated:
24.04.2025