



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 1350 of 2024

Suryadev Alloys And Power Pvt Ltd
No.208/2 New Cummidipoondi Taluk,
Thiruvallur- 601 201
Rep. Its Authorised Signatory
Mr.Mukesh Agarwal.

..Petitioner(s)

Vs

1. Tamil Nadu Generation And Distribution Corporation Limited Represented By Its Chairman Npkrr Maaligai,144, Anna Salai, Chennai- 600 002.
2. The Chief Financial Controller / Revenue Tangedco (accounts Branch), 144, Anna Salai Chennai 600 002
3. The Director (Finance) Tangedco 144, Anna Salai Chennai 600 002
4. The Superintending Engineer Tangedco CEDC/ North, Chennai 600 002
5. The Deputy Financial Controller Tangedco, CEDC / North (Accounts Branch) Chennai- 002.

..Respondent(s)

The writ petition has been filed under Article 226 of Constitution of India to issue a writ of Certiorarified Mandamus Calling for the records comprised in Lr. No FC / REV / AO / REV / D.716 / 23 dated 26.09.2023 issued by the second Respondent and the consequential current consumption bills in so far as it relates to a levy demand towards compensation charges for



low power factor in respect of the Petitioners service Connection No. 019094041976 dated 08.01.2024 and quash the same as arbitrary, illegal and contrary to the provisions of the Honble TNERC's Open Access Regulations, 2014 and the Consequent orders passed by the Honourable TNERC and consequently direct the Respondents to adjust / refund the said charges collected and forbear the respondents, their men, officers, subordinates, employees or any other person(s) claiming and / or acting under them in any manner levying and / or demanding any sum(s) towards compensation charges for low Power factor in respect of the Petitioners service Connection.

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

For Respondent(s): Mr.D.R.Arunkumar, Standing Counsel

ORDER

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents and perused the materials available on records.

The writ petition has been filed seeking to quash the order dated 26.09.2023 issued by the second Respondent and the consequential current consumption bills in so far as it relates to a levy demand towards compensation charges for low power factor in respect of the Petitioners service Connection No. 019094041976 dated 08.01.2024 and contrary to the provisions of the Hon'ble TNERC's Open Access Regulations, 2014 and the Consequent orders passed by the Honourable TNERC and consequently direct the Respondents to



adjust / refund the said charges collected and forbear the respondents, their men, officers, subordinates, employees or any other person(s) claiming and / or acting under them in any manner levying and / or demanding any sum(s) towards compensation charges for low Power factor in respect of the Petitioners service Connection.

2. The learned counsel for the petitioner submitted that the issue arises in the present writ petition is no longer res integra and the same has already been decided by this Court in a batch of writ petition in WP.No.33660 of 2024 by following the judgment passed by the Hon'ble Supreme Court in the case of Jaipur Vidyut Nigam Ltd., Vs. MB Power (M.P.) Ltd., reported in 2024 8 SCC 513 wherein the Apex Court held in para No.128 that under the Electricity Act, all the issues dealing with electricity have to be considered by the authorities constituted under the said Act and also held that the Constitution Bench of the Apex Court, the State Electricity Commission and the learned APTEL have ample powers to adjudicate in the matters with regard to electricity. Hence, he submits that the petitioners have to approach the Tamil Nadu Electricity Regulatory Commission for appropriate orders and prays for dismissal of the writ petitions.



3. The learned counsel for the petitioner further submitted that the Legal Member has not yet been appointed to the Tamil Nadu Electricity Regulatory Commission. Till such appointment is made, the interim order granted by this Court may be extended.

3. In view of the decision of the Hon-ble Apex Court in *Jaipur Vidyut Vitran Nigam Limited* case as cited supra, entertaining the present writ petition as against the impugned letter and consequential demand is not sustainable and accordingly, the writ petition is dismissed, with liberty to the petitioner to approach the Tamil Nadu Electricity Regulatory Commission for appropriate orders. The respondents are directed not to take any coercive action as against the petitioners for a period of two weeks from the date of receipt of a copy of this order, to enable the petitioner to approach the Tamil Nadu Electricity Regulatory Commission for appropriate remedy. The interim order already granted by this Court is extended until the Member is appointed. No costs. Consequently, the connected miscellaneous petitions are closed.

23-03-2026

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

RLI



1. Tamil Nadu Generation And Distribution Corporation Limited Represented By Its Chairman
NPKRR Maaligai,144, Anna Salai, Chennai- 600 002.

5. The Deputy Financial Controller
Tangedco CEDC / North (accounts Branch) Chennai- 002.



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M.DHANDAPANI, J.

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