IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 3738 of 2026
and
WMP No. 4156 of 2026

M/s.Pothys Retail Private Ltd.,
15, Pothys Traditional
Nageswara Rao Road
T.Nagar, Chennai – 600 017
Repd. by its Managing Director Mr.Ramesh

..Petitioner(s)

Vs

1. Tamil Nadu Electricity Regulatory Commission
   4th Floor, SIDCO Building,
   Thiru.Vi. Ka. Industrial Estate,
   Guindy, Chennai-600 032,
   Represented by its Secretary.

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

3. Director Finance
   (TNPDCL)
   No.144, Anna Salai, Chennai-600 002.

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

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

6. The Superintending Engineer
   (TNPDCL),
   Tiruppur Electricity Distribution Circle,
   Tirupur.

..Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue 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 Rs1,86,38,588/- (for the year of 2014-15 & 2015 to 2025) payable to the petitioner or give adjustment in current consumption charges payable by the petitioner till the entire amount is adjusted and pass orders.

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

For Respondent(s): Mr.L.Jaivenkatesh
Standing Counsel for R1 to R6

ORDER

The above writ petition is filed for the following relief :

" T*o 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 Rs1,86,38,588/- (for the year of 2014-15 & 2015 to 2025) payable to the petitioner or give adjustment in current* *consumption charges payable by the petitioner till the entire amount is adjusted"*

2. The petitioner-industry which is running yarn manufacturing units and involved in the business of textile processing, has a high tension electricity supply connection. The petitioner had entered into a Energy Wheeling Agreement (EWA) with the second respondent in pursuance of the Tariff Orders issued by the first respondent-Commission. As per the EWA, if the wind energy generated by the petitioner is not utilized fully by them, the balance of it may be supplied to the respondent Board, and as against the said supply the respondent-Board would pay the petitioner 75% of normal purchase fixed by the Commission.

3. According to the petitioner, after the captive consumption from 2014 to 2025, it had sold the unutilized energy to the respondents 4 to 6, for which an outstanding amount of Rs. 1,86,38,588/- is due to them. The respondents have not paid the said amount. Owing to the default of the respondents in making payments to the petitioner, the petitioner could not pay the current consumption charges to the Board. Hence, the petitioner is before this Court seeking the above relief.

4. The learned counsel appearing for the petitioner has brought to the

notice of the Court that in a similar case in W.P.No.47775 of 2025, this Court has passed the following order :

> *"3.Accordingly, this writ petition stands disposed of in similar terms with a direction to the respondents to adjust the amount of Rs.16,92,851/- (for the year 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. Consequently, WMP.No.53341 of 2025 is closed. No costs."*

5. Heard the learned counsel on either side and this Court also perused the materials placed before this Court.

6. Considering the facts and circumstances of the case and also this Court had dealt with similar cases earlier, this Court is inclined to dispose of the writ petition in similar terms, directing the respondents to adjust the amount of Rs.1,86,38,588/-/- (for the year 2014-2015 and 2015-2025) payable by the respondents to the petitioner towards the electricity supplied to them by the petitioner, against the current consumption charges payable by the petitioner, till the entire amount is adjusted or exhausted. The respondents shall not take any

coercive steps against the petitioner in disconnecting the power supply, till the entire outstanding amount payable by the respondents gets adjusted towards the current consumption charges payable by the petitioner. Consequently, the connected miscellaneous petition is closed. No costs.

05-02-2026

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

DS

To:

1. The Secretary
   Tamil Nadu Electricity Regulatory Commission
   4th Floor, SIDCO Building, Thiru.Vi. Ka. Industrial Estate,
   Guindy, Chennai-600 032,

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

3. The Director Finance
   Tamil Nadu Power Distribution Corporation Ltd.,
   (TNPDCL), No.144, Anna Salai, Chennai-600 002.

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P.T.ASHA J.

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