



WEB COPY

WP No.4398 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

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

WP No.4398 of 2026

and

WMP No. 4883 of 2026

SCM Green Power Pvt. Ltd.,
Registered office: S.F.No.23/3/4, Sriram Kirupa
Bungalow Road, Odakkadu
Tirupur – 641 402.
Rep by its Authorised Signatory P.Manickam

..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. The Chairman
Tamil Nadu Power Distribution Corporation Ltd.,
144, Anna Salai, Chennai-600 002.
3. Director Finance
Tamil Nadu Power Distribution Corporation Ltd.,
(TNPDC), No.144, Anna Salai
Chennai-600 002.
4. The Superintending Engineer
TANGEDCO
Madurai Metro Electricity Distribution Circle,
Madurai – 625 007.
5. The Superintending Engineer
TANGEDCO
Coimbatore South Electricity Distribution Circle,
Chennai.

..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's group captive consumer M/s.SCM Silks Pvt Ltd., is having HTSC No.059094630145 until the respondents make payment of the outstanding dues of Rs.12,81,553/- (for the year 2019-2020 and 2020-2021) payable to the petitioner or give adjustment in the 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.S.Madhusudanan
Standing Counsel for R1 to R5

ORDER

The above writ petition is filed for the following relief :

“ To forbear the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner's group captive consumer M/s.SCM Silks Pvt Ltd., is having HTSC No.059094630145 until the respondents make payment of the outstanding dues of Rs.12,81,553/- (for the year 2019-2020 and 2020-2021) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted ”



2. The petitioner is a group captive generator of wind energy owning WEGs under 5th respondent and supplying energy to their group captive consumers.

One of its captive consumer is M/s.SCM Silks Pvt. Ltd., who is having high tension electricity supply connection under the 5th respondent. 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 for the year 2019-2020 and 2020-2021, it had sold the unutilized energy to the respondents for which an total outstanding amount of Rs.12,81,533/- 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 for more than one year, the petitioner could not pay the current consumption charges to the Board, which could resort to disconnection of grid connectivity. 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.12,76,112/- (for the year 2024-2025) payable by the respondents to the petitioner towards the electricity supplied to them, against the current consumption charges payable by the petitioner, its group captive consumer, till the entire amount is adjusted or exhausted. The respondents shall not take any coercive steps against the petitioner / its group captive consumer 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.

11-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DS

To:

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