



WEB COPY

WA No. 1327 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

**THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**WA No. 1327 of 2023
and
C.M.P.No.13060 of 2023**

1. The Tamilnadu Generation and Distribution Corporation Ltd (tangedco)
Rep.by its Chairman, No.144, Anna Salai,
Chennai 2.
2. Director of Finance
Tamil Nadu Generation and Distribution corporation Ltd, No.144, Anna Salai,
Chennai 2.
3. The Superintending Engineer
Virudhunagar Electricity Distributing Circle,
TANGEDCO, Virudhunagar.

..Appellant(s)

Vs

1. Sri Jayajothi and Co Ltd.,
HTSC No.9, 70, Alagai Nagar, Rajapalayam
17, by its Authorized Signatory
B.Seenivasagam.
2. Tamil Nadu Electricity Regulatory Commission
Rep.by its Secretary, No.19-A, Rukmani
Lakshmipathy Salai, (Marshalls Road),
Egmore, Chennai 8.

..Respondent(s)

W.A.No.1327 of 2023

To set aside the order dated 01.12.2021 made in WP.No. 7498 of



C.M.P.No.13060 of 2023

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To grant an order of interim stay of the order dated 01.12.2021 made in W.P.No.7498 of 2017 and all proceedings pursuant thereto pending disposal of the writ appeal.

For Appellant(s): Mr.P.Kumaresan, AAG
assisted by
Mr. L.Jai Venkatesh, Standing Counsel

For Respondent(s): Mr.S.P.Parthasafrathy for R1.
R2 -No Appearance.

JUDGMENT

(Judgment of the Court was delivered by S.M.Subramaniam J.)

TANGEDCO preferred the present intra-Court Appeal challenging the writ order dated 01.12.2021 in W.P.No.7498 of 2017. The Writ Court allowed the writ petition filed by the petitioner based on Section 56(2) of the Indian Electricity Act, 2003. The Hon'ble Supreme Court of India decided the issue in the case of ***K.C.Ninan vs. Kerala State Electricity Board & ors.*** made in ***C.A.Nos.2109– 2110 of 2004*** dated 19.05.2023.

2. In view of the legal position settled by the Hon'ble Supreme Court of India, the writ order dated 01.12.2021 in W.P.No.7498 of 2017 is set aside. However, the respondent is at liberty to approach the Electricity Regulatory Commission for redressal of grievance, if any exists.



3. With the above observation, the Writ Appeal stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (C.K.,J.)
09-02-2026

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

VSI

To
The Secretary,
Tamil Nadu Electricity Regulatory Commission
No.19-A, Rukmani Lakshmipathy Salai,
(Marshalls Road), Egmore, Chennai 8.



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**S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.**

VSI

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