



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

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THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No. 24084 of 2026

AND

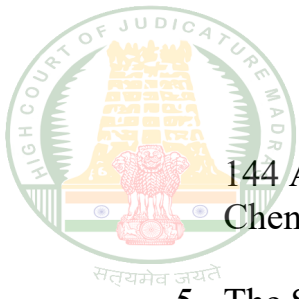
WMP Nos. 26216, 26220 & 26222 OF 2026

Ponni Sugars (Erode) Limited,
(Represented by its Deputy General
Manager (Accounts) Mr.G.Lakshmi Narayanan,
Having Registered Office,
At ESVIN House 13 Rajiv Gandhi Salai,
Perungudi, Chennai-600 096

..Petitioner(s)

Vs

1. Tamil Nadu Power Distribution Corporation,
Limited (TNPDC)
Represented by its Chairman and Managing
Director,
NPKRR Maaligai,
144 Anna Salai,
Chennai-600 002.
2. Tamil Nadu Green Energy
Corporation Limited (TNGECL)
Rep.by its Chairman
NPKRR Maaligai,
144 Anna Salai,
Chennai-600 002.
3. Tamil Nadu Transmission Corporation
Limited (TANTRANSCO)
NPKRR Maaligai,
144 Anna Salai,
Chennai-600 002
4. State Load Despatch Centre
c/o.TANTRANSCO
Rep. by its Director,



144 Anna Salai,
Chennai-600 002

5. The Superintending Engineer,
Namakkal Electricity Distribution Circle,
Suba Towers Opp. Sri Kannan Smart Super
Store, Tiruchengode Road,
Namakkal-637 001

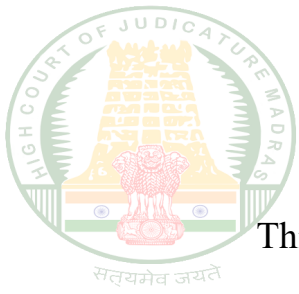
6. The Superintendent Engineer
Commercial Operation/SLDC
3rd Floor, TANTRANSCO Building,
144, Anna Salai,
Chennai-600 002.

..Respondent(s)

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the 5th Respondent in the impugned Rejection dated 29.12.2025 bearing, reference Lr.No.SE/NEDC/DFC/AO/REV/HT/AS/F.HT/SC.439/D.NO.979/2025 and quash the same as being arbitrary illegal, without jurisdiction, and contrary to the Electricity Act, 2003 the right to open access thereunder, and the CERC (Connectivity and General Network Access to the inter State Transmission System) Regulations 2022 and consequently direct the Respondents to process and grant the petitioner's application for inter-state open access for power procurement through power exchanges/third party sources strictly in accordance with said regulations, including grant of Standing Clearance and approval for scheduling of such transactions within the timelines prescribed thereunder.

For Petitioner(s): Mr. Rahul Balaji

For Respondent(s): Mr.D.R.Arun Kumar, Standing counsel

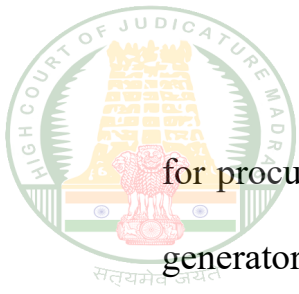


Order

This Writ Petition has been filed challenging the impugned proceedings dated 29.12.2025, whereby, petitioner was informed that no objection certificate for purchase of power through Indian Energy Exchange (IEX) / third party under open access during off period is not feasible.

2. The petitioner would state that he owns and operates 3500 TCD capacity sugar mill in Namakkal and 19 MW bagasse-based co-generation power plant commissioned on 17.08.2012. The co-generation plant meets the captive power requirements of the petitioner's sugar mill and surplus power is exported to the grid under a Long-Term PPA dated 19.01.2011. The power plant operates primarily during the sugarcane crushing season using bagasse, bagasse pith and diverse biofuels. During off-season periods and for meeting its start-up power requirements, petitioner has to source power from external sources. Petitioner would procure to meet its power requirement from Distribution Licensee which is presently petitioner's sole source for meeting its temporary power requirements. Petitioner would further state that the procurement from Distribution Licensee / EFX / third party is governed by CERC GNA Regulations.

3. Learned counsel for the petitioner would submit that the impugned order has been passed by the fifth respondent on an erroneous assumption that

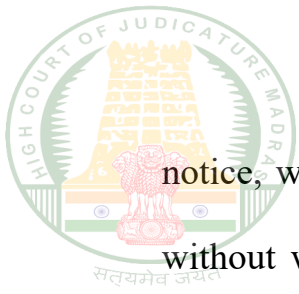


for procuring electricity from IEX / third party suppliers that the petitioner is a generator and thus cannot be enrolled as a consumer, which according to the learned counsel for the petitioner runs contrary to the Central Electricity Regulatory Commission Regulations, more particularly, Regulation 26 which prescribes the eligibility for temporary GNA.

4. Learned counsel would further submit that in terms of the above regulation, even captive generation plants are eligible to apply for temporary GNA, thus, No Objection Certificate is not required to be obtained from the first respondent. He would also submit that the impugned proceedings has been passed without even putting the petitioner on notice to enable him to bring to the notice of the fifth respondent the relevant regulation and also the provisions relating to the requirement of No Objection Certificate for the purpose of procuring electricity from EFX / third party in open access.

5. Learned Standing Counsel appearing for the respondents would submit that if the petitioner submits his response to the impugned proceedings, the fifth respondent would consider the same and pass appropriate orders, within the time frame to be fixed by this Court,

6. The petitioner may submit his representation / response to the impugned proceedings dated 29.12.2025, treating the same as show cause



notice, within a period of two weeks from the date of uploading of web copy without waiting for receipt of certified copy of the order. On receipt of such representation / response, the fifth respondent is directed to pass appropriate orders, after affording an opportunity of hearing to the petitioner, within a period of two weeks thereafter.

7. With the above direction, this Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

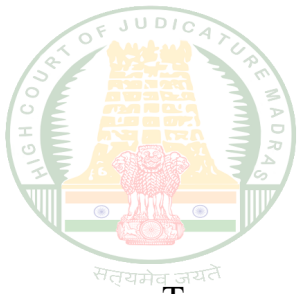
24-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

GSK



MOHAMMED SHAFFIQ J.

GSK

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