

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.11.2015

CORAM

THE HONOURABLE MR. JUSTICE. T.S.SIVAGNANAM

W.P.Nos.7006, 7007, 7466 and
M.P.Nos.1 to 1, 2 to 2, 3 & 3 of 2015 and
30198 of 2015 & M.P.No.2 of 2015

M/s. Ecogrid Energies Pvt. Limited
Represented by its Director,
4/5, 2nd Cross Street,
Rayala Nagar, Ramavaram,
Chennai-600 089. ...Petitioner in WP.Nos.7006 & 30198/15

M/s.Muthupappa Green Energies,
Represented by its Managing Director,
4/5, 2nd Cross Street,
Rayala Nagar, Ramavaram,
Chennai-600 089. ...Petitioner in WP. Nos.7007/15 & 7466/15

M/s.Ecogrid Energies Pvt. Ltd.
rep. by its Director
M.Jeevanantham, 4/5 2nd Cross Street
Rayala Nagar Ramavaram
Chennai-89. ...Petitioner in W.P.No.30198 of 2015

Vs

1. The State of Tamil Nadu
Rep. by its Secretary to Government,
Energy Department,
Secretariat, Fort St. George,
Chennai-600 009.
2. The Tamil Nadu Generation and
Distribution Corporation Limited (TANGEDCO),
Represented by its Managing Director,
Second Floor, Eastern Wing,
No.144, Anna Salai,
Chennai-600 002.

3. The Tamil Nadu Electricity Regulatory Commission,
Rep. by its Chairman,
Eastern Wing,
No.144, Anna Salai,
Chennai-600 002.

...Respondents in all WPs

4.G.Rajagopal

...4th Respondent in W.P.No.301968/15

PRAYER in WP.Nos.30198 & 7466/2015: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order in I.A.No.1 of 2014 and P.P.A.P.No.1 of 2014 issued by the third respondent dated 15.09.2014 and to quash the same and consequently directing the third respondent to approve the power purchase agreement as submitted by the second respondent Corporation with regard to the petitioner herein.

PRAYER IN WP.No.7006/2015: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the second respondent Corporation dated 24.01.2015 with regard to the tender specification CE/NCES/OT.No.1/2012-13 and to quash the same and consequently direct the respondent Corporation to abide by the letter of intent issued in No.CE/NCES/EE/WCS/AEE3/M/s.Ecogrid Energies I/D.195/13, dated 31.05.2013 and consequently direct the respondent Corporation to execute power purchase agreement based upon the letter of intent dated 31.05.2013 in favour of the petitioner company.

PRAYER IN WP.No.7007/2015: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the second respondent Corporation dated 24.01.2015 with regard to the tender specification CE/NCES/OT.No.1/2012-13 and to quash the same and consequently direct the respondent Corporation to abide by the letter of intent issued in LOI Ref.No.CE/NCES/EE/WCS/AEE3/M/s.Muthupappa I/D.190/13, II/D 188/13 dated 31.05.2013 and consequently direct the respondent Corporation to execute power purchase agreement based upon the letter of intent dated 31.05.2013 in favour of the petitioner company.

For Petitioner
in all WPs : Mr.G.Sankaran

For Respondents
in all WPs : Mr.R.Vijayakumar, AGP for R1

Mr.P.H.Arvind Pandian, AAG,
assisted by Mr.P.Gunaraj
for R2
Mr.Abdul Saleem for R3

COMMON ORDER

Learned counsel for the petitioners has circulated a letter dated 26.11.2015 stating that the petitioner seek to withdraw the writ petitions, in view of the assurance given by the respondent. Learned Additional Advocate General appearing for the second respondent does not have any instruction on the said alleged assurance. However, he does not oppose for withdrawal.

Hence, all the writ petitions are dismissed as withdrawn. Interim order already granted stands vacated. Consequently, connected miscellaneous petitions are dismissed. No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Energy Department,
Secretariat, Fort St. George,
Chennai-600 009.
2. The Managing Director,
The Tamil Nadu Generation and
Distribution Corporation Limited (TANGEDCO),
Second Floor, Eastern Wing,
No.144, Anna Salai, Chennai-600 002.
3. The Chairman,
The Tamil Nadu Electricity Regulatory Commission,
Eastern Wing,
No.144, Anna Salai,
Chennai-600 002.

2 CCs to Mr.P.Gunaraj, Advocate SR.No. 64426, 64427

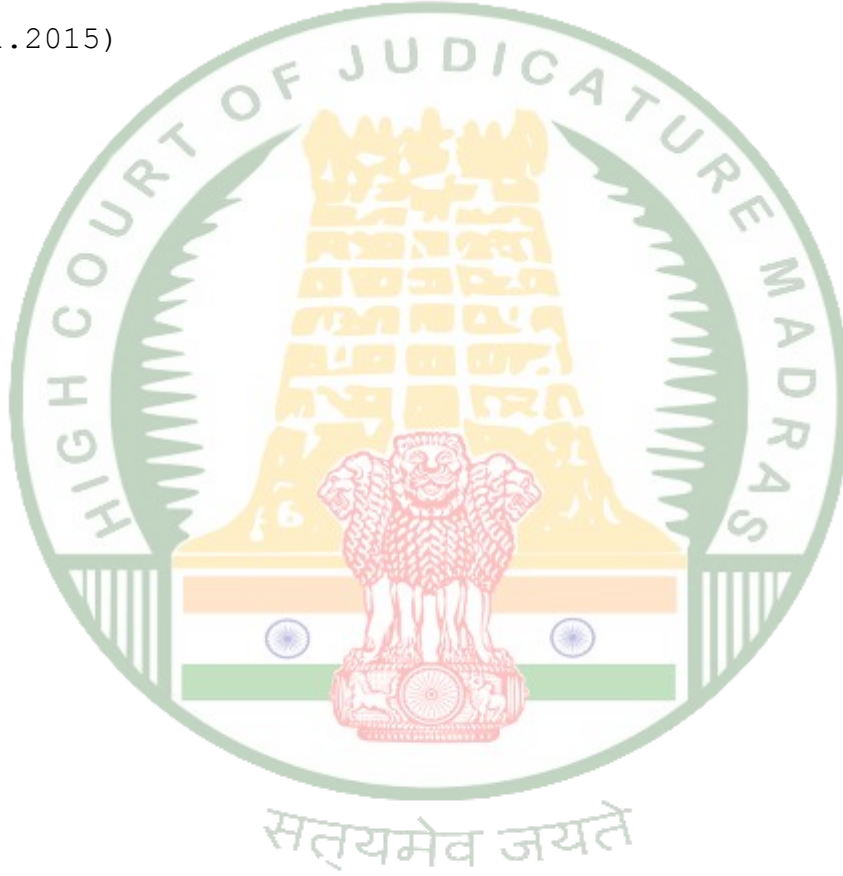
2 CCs to Mr.Abdul Saleem, Advocate SR.No. 64642, 64641

2 CCs to Mr.G.Sankaran, Advocate SR.No. 64765, 64766

+ 1 cc to The Govt.Pleader, Sr 64920 (11/1/16)

W.P.Nos.7006, 7007, 7466 and
M.P.Nos.1 to 1, 2 to 2, 3 & 3 of 2015 and
30198 of 2015 & M.P.No.2 of 2015

PSI (27.11.2015)



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