

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.03.2016

Coram

The Hon'ble Mr. Justice T.S. Sivagnanam

Writ Petition Nos. 17542 and 17543 of 2015

and

M.P. Nos. 1 and 1 of 2015

1. M/s. Ind-Barath Power Gencom Ltd.,
Corporate Office at
New No. 20, Old No. 129,
Chamiers Road,
Nandanam, Chennai - 600 035.
rep. by its President (Commercial & Legal)
R. Jarard Kishore,
... Petitioner in W.P. No. 17542 of 2015

2. M/s. Arkay Energy (Rameswaram) Ltd.
Corporate Office at
New No. 20, Old No. 129,
Chamiers Road,
Nandanam, Chennai - 600 035.
rep. by its President (Commercial & Legal)
R. Jarard Kishore,
... Petitioner in W.P. No. 17543 of 2015

Vs.

1. The Tamil Nadu Generation and
Distribution Corporation Ltd., (TANGEDCO)
rep. by its Chairman and Managing Director,
No. 144, Anna Salai,
Chennai - 600 002.
 2. The Chief Engineer/PPP,
NPKRR Maaligai,
No. 144, Anna Salai,
Chennai - 600 002.
- ... Respondents 1 & 2 in both W.Ps

Prayer in both W.Ps.

Writ Petitions filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus to call for the records relating to the order of the second respondent herein , viz., the proceedings in Letter No.CE/PPP/SE/EE-1, (PP)/F. IBPIL-WP/D: 313/15, dated 13.05.2015, and to quash the same and consequently, to direct the respondents to release the payments forthwith, which are due and payable to the petitioner for the energy, which was supplied by the petitioner to the respondents within the state of Tamil Nadu, pursuant to the Government Order, passed in G.O.Ms.No.10 Energy (C3) Department, dated 27.02.2009.

For Petitioners : Mr.K.Seshadri

For Respondents : Mr.P.Gunaraj (TNEB)

COMMON O R D E R

The Writ Petitions were listed today under the caption, "For Withdrawal", based on the letter submitted by the learned counsel appearing for petitioners to the Registry on 15.03.2016. The learned counsel appearing for the petitioners also sought the permission of this Court to withdraw the Writ Petitions with liberty to approach the Tamil Nadu Electricity Regulatory Commission (T.N.E.R.C.) and he has also made an endorsement to that effect in W.P.No.17542 of 2015.

2. The endorsement made by the learned counsel appearing for the petitioners is placed on record, and the petitioners are permitted to withdraw these Writ Petitions and liberty is granted to workout their remedy before T.N.E.R.C. No costs. Consequently, connected Miscellaneous Petitions are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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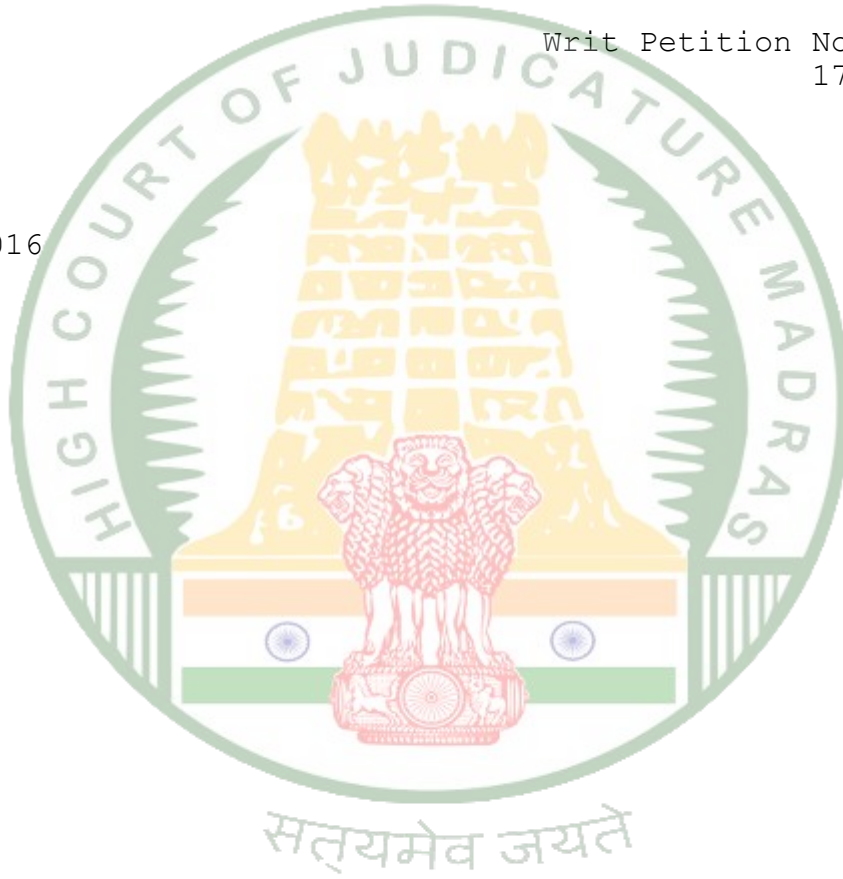
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+2 ccs to Mr.AL.Gandhimathi Advocate sr.nos.17019 & 17020/16

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17543 of 2015

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