

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.17608 of 2015

and

M.P.No.1 of 2015

Samalpatti Power Company Private Limited,  
represented by President and CEO,  
No.14, 1st Floor,  
Sreyas Virat, 3rd Cross Road,  
Raja Annamalaipuram,  
Chennai-600 028. ... Petitioner

Vs.

1. Tamil Nadu Generation and Distribution  
Corporation Ltd.,  
represented by its Chairman & Managing Director,  
No.144, Anna Salai,  
Chennai-600 002.

2. Tamil Nadu Electricity Regulatory Commission,  
No.19-A, Rukmini Lakshmipathy Salai,  
(Marshalls Road)  
Egmore, Chennai-600 008. ... Respondents

The writ petition is filed under Article 226 of the  
Constitution of India praying for the issue of a Writ of  
Mandamus, directing the second respondent to take up the Dispute  
Resolution Petition in DRP No.16 of 2012 for hearing on merits  
and render final orders within 3 months.

For Petitioner : Mr.R.Parthasarathy

For Respondents : Mr.P.Gunaraj for R-1  
Mr.Abdul Saleem for R-2

ORDER

Heard the learned counsels, appearing on behalf of the  
petitioner, as well as the respondents.

2. This writ petition has been filed, praying that this Court may be pleased to issue a Writ of Mandamus, directing the second respondent to take up the Dispute Resolution Petition, in DRP No.16 of 2012, for hearing, on merits and to pass final orders thereon, within a period of three months from the date of passing of the order by this Court.

3. Even though various grounds have been raised by the petitioner in the present writ petition, in support of its claims, the learned counsel, appearing on behalf of the petitioner, had submitted, at this stage of the hearing of the writ petition, that a writ petition filed before this Court, in W.P.No.11940 of 2014, challenging the appointment of the Chairperson of the Tamil Nadu Electricity Regulatory Commission, had been transferred to the Supreme Court and the matter is pending on the file of the Supreme Court.

4. In such circumstances, this court is of the considered view that it would not be appropriate for this Court to pass an order, granting the reliefs, as prayed for by the petitioner, in the present writ petition. Hence the writ petition stands closed, leaving it open to the petitioner to approach the Supreme Court, by filing an appropriate application or petition before it, if so advised, in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vvk

To

The Chairman & Managing Director,  
Tamil Nadu Generation and Distribution  
Corporation Ltd.,  
No.144, Anna Salai,  
Chennai-600 002.

+1cc to Mr.Abdul Saleem, Advocate, S.R.No.37766  
+1cc to Mr.Satish Parasaran, Advocate, S.R.No.37294

W.P.No.17608 of 2015

AD(CO)  
CA(22/07/2016)