

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2017

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.3359 of 2017

M/s.Tamil Nadu Newsprint & Papers Limited,
Kagithapuram,
Rep. By its Deputy Manger (Legal),
Karur - 639 136.

.. Petitioner

Vs

1.Tamil Nadu Electricity Generation
and Distribution Corporation (TANGEDCO),
Rep. By its Chairman and Managing Director,
No.144, Anna Salai,
Chennai - 2.

2.The Superintending Engineer,
Karur Electricity Distribution Circle,
Karur.

3.The Chief Financial Controller/Revenue,
TANGEDCO,
No.800, Anna Salai,
Chennai - 2.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari to call for the records of the third respondent comprised in impugned circular bearing Memo No.CFC/FC/DFC/AS.3/REV/D.No.304/16, dated 03.12.2016 and the consequent letters issued by the second respondent comprised in letters bearing reference Memo.No.SE/KEDC/KRR/DFC/AS/HT/F.PARALLEL/D.576/2016, dated 07.12.2016 and Lr.No..SE/KEDC/KRR/DFC/AS/HT/F.PARALLEL/D.18/2017, dated 09.01.2017 and quash the same as being arbitrary, illegal, violative of the principles of natural justice besides being violative of the provisions of the Electricity Act, 2003, and Tamil nadu Electricity Regulatory Commission Grid Connectivity and Intra-State Open Access Regulations, 2014.

For petitioner : Mr.R.Parthasarathy

For Respondents : Mr.C.Manishankar, AAG
Assistant By Mr.P.Gunaraj

O R D E R

Heard the learned counsel for the petitioner and the learned Additional Advocate General for the respondents and with their consent, the writ petition itself is taken up for final disposal.

2. Challenging the impugned orders passed by the respondents directing the petitioner to pay Parallel Operation Charges, which are not at all applicable to them, the petitioner has filed the present writ petition. However, it is seen that before coming to this Court, the petitioner has also given his reply dated 01.02.2017 against the said impugned orders seeking for the very same relief as prayed for in this writ petition.

3. At this juncture, it is stated by the learned Additional Advocate General for the respondents that since the said representation of the petitioner is pending for consideration, a short time may be given to consider the same on merits. Learned counsel for the petitioner has also agreed for the same.

4. Recording the joint request made by the learned counsel appearing on either side, this Court, without going into the merits of the matter, directs the respondents to consider the said representation dated 01.02.2017 of the petitioner on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner within a period of four weeks from the date of receipt of a copy of this order. With this direction, the writ petition is disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

sd/

Assistant Registrar (CS III)

/true copy/

सत्यमेव जयते

Sub Assistant Registrar

rkm

To

1.The Chairman and Managing Director
Tamil Nadu Electricity Generation
and Distribution Corporation (TANGEDCO),
No.144, Anna Salai,
Chennai - 2.

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2.The Superintending Engineer,
Karur Electricity Distribution Circle,
Karur.

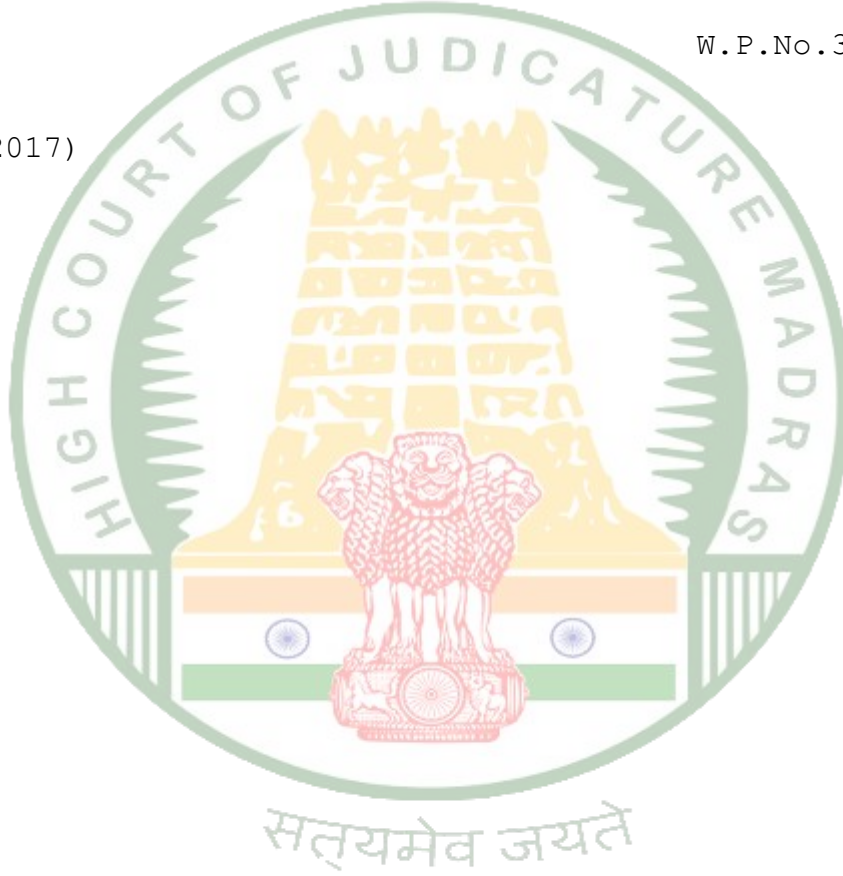
3.The Chief Financial Controller/Revenue,
TANGEDCO,
No.800, Anna Salai,
Chennai - 2.

+1cc to Mr.R.Parthasarathy, Advocate SR.No.8801

+1cc to Mr.P.Gunanat, Advocate SR.No.8963

W.P.No.3359 of 2017

ALA(CO)
GN(20/02/2017)



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