

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.3979 of 2017

and

W.M.P.No.4066 of 2017

M/s.Eveready Spinning Mills (P) Ltd.,
No.7 Kottaiyur-Agaram Village,
Thadicombu-624709 & H-7, Nagampatty,
Vedasanthur - 624 710
Rep. by its Joint Managing Director,
Mr.S.Chandrakumar

... Petitioner

Vs.

1. Tamil Nadu Generation and Distribution Corporation Ltd. (TANGEDCO),
Rep. by its Chairman and Managing Director,
No.144, Anna Salai, Chennai - 02.
2. The Chief Engineer,
Non-Conventional Energy Sources,
TANGEDCO, 2nd Floor, Anna Salai,
Chennai - 600 002.
3. The Superintending Engineer,
TANGEDCO,
Dindigul Electricity Distribution Circle,
Dindigul.
4. Tamil Nadu Electricity Regulatory Commission,
19-A, Rukumini Lakshmipathy Salai,
Egmore, Chennai - 600 008.
Rep. by its Secretary.

... Respondents

Prayer: This writ petition filed under Article 226 of the Constitution of India, to issue a writ particularly in the nature of a writ of Mandamus, directing the respondents 1 and 2 to provide suitable working instructions in the manner of implementation of the order of the State Commission (TNERC) issued in RA.No.6 of 2013 dated 31.03.2016 and to allow all the benefits provided in the order for the petitioner.

For Petitioner : Mr.S.Pandiyaraj

For Respondents : Mr.S.K.Rameshwar

ORDER

This writ petition has been filed seeking a direction to the respondents 1 and 2 to see to it that the order passed by the State Commission (TNERC) in RA.No.6 of 2013 dated 31.03.2016 has been implemented in letter and spirit.

2.When the matter is taken up for hearing, the learned counsel appearing for the respondents 1 to 3 produced the following communication dated 04.04.2017, which is as follows:

"The above writ petition No.W.P.No.3979 of 2017 is filed by M/s.Eveready Spinning Mills (P) Ltd., Vedasanthur in Hon'ble High Court, Chennai with a prayer to implement the orders issued by Hon'ble TNERC in R.A.No.6 of 2016, on 31.03.2016.

In this regard, the following are stated:

The TNERC in R.A.No.6 of 2013 has ordered to re-fixed the charges for the following categories:

- a) Tariff based on Time Value of Money
- b) Banking charges as 10% of banked energy in kind instead of 94.00 paise per unit.

The Chairman cum Managing Director/TANGEDCO has approved to implement the order in R.A.No.6 of 2013 on 31.03.2016. The detailed working instructions are being prepared in consultation with various wings of TANGEDCO and will be issued shortly, since the order has to be implemented retrospectively for the period from 2012 to 2016."

3.In view of the same, the writ petition is disposed of by directing the respondents 1 to 3 to implement the order of the State Commission (TNERC) in R.A.No.6 of 2013 dated 31.03.2016 within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman and Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd. (TANGEDCO),
No.144, Anna Salai, Chennai - 02.
2. The Chief Engineer,
Non-Conventional Energy Sources,
TANGEDCO, 2nd Floor, Anna Salai,
Chennai - 600 002.
3. The Superintending Engineer,
TANGEDCO,
Dindigul Electricity Distribution Circle,
Dindigul.
4. The Secretary,
Tamil Nadu Electricity Regulatory Commission,
19-A, Rukmini Lakshmipathy Salai,
Egmore, Chennai - 600 008.

+1cc to Mr.R.S.Pandiyaraj, Advocate, S.R.No.20520
+1cc to Mr.S.K.Ramesh Kumar, Advocate, S.R.No.20381

W.P.No.3979 of 2017
and
W.M.P.No.4066 of 2017

SJ(CO)
CA(10/04/2017)

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