

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 11.12.2018
CORAM
THE HONOURABLE Mr. JUSTICE R.MAHADEVAN

W.P. No. 13790 of 2009
and
M.P. No.1 of 2009

M/s.J.R.Smelters (P) Ltd.,
No.3, Manali Express Road,
T.K.P. Nagar, Chennai-600 019,
Rep.by its Director Pramod Singh.

...Petitioner

Vs

1.The Chariman,
Tamilnadu Electricity Board,
800, Anna Salai,
Chennai - 600 002.

2.The Chief Engineer (Commercial),
Tamilnadu Electricity Board,
144, Anna Salai,
Chennai - 600 002.

3.The Superintending Engineer,
Chennai Electricity Distribution Circle/North,
800, Anna Salai,
Chennai - 600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents to forthwith comply with the order of the Honourable Tamilnadu Regulatory Commission in its order dated 28.11.2008 in M.P.No.42/2008 as contained in para 24 of the order, by treating the wind energy captive users on par with other captive users and permit wheeling and utilization of the power generated by them without imposing any restriction and control measure, including levy of any penalty, against the petitioner.

For Petitioner : Mr.K.Seshadri
For Respondents : Mr.P.R.Dhilipkumar

O R D E R

The prayer made in this writ petition is to issue a Mandamus, directing the respondents to comply with the order dated 28.11.2008 passed by the Tamil Nadu Regulatory

Commission in M.P.No.42/2008, by treating the wind energy captive users on par with other captive users and permit wheeling and utilization of the power generated by the petitioner without imposing any restriction and control measure, including levy of any penalty, against the petitioner.

2. When the matter was taken up for consideration, the learned counsel for the respondents fairly submitted that the claim of the petitioner would be considered by the respondents, if not considered earlier, within a time limit to be stipulated by this Court.

3. Recording the above submission made by the learned counsel for the respondents, this writ petition stands disposed of directing the respondents to consider the claim of the petitioner, if not considered earlier, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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TO

- 1.The Chariman,
Tamilnadu Electricity Board,
800, Anna Salai,
Chennai - 600 002.
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Tamilnadu Electricity Board,
144, Anna Salai,
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- 3.The Superintending Engineer,
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+1cc to Mr.K.Seshadri, Advocate, S.R.No. 85697

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CNR (CO)
GN(25/01/2019)