

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2018

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THE HONOURABLE MR. JUSTICE T.RAJA

W.P.Nos.10480 & 10481 of 2018
and WMP.Nos.12431 & 12432 of 2018

N.S.P.Knitting Mills, WEG.NO.2227 & 2228
S.F.No.163, Veeranampalayam,
Muthur Road, Kangayam,
Kangayam - 638 701, Tiruppur
rep by its Authorized Signatory
M.Balamurugan

... Petitioner in
W.P.No.10480/2018

Adarsh Knit Wear P Ltd, WEG.NO.2226
S.F.No.101/1A, 101/1B,
Morappampalayam Road,
Uppilipalayam Village (PO),
Sangampalayam, Karuvallur,
Avinashi TK - 641 670, Tiruppur
rep by its Authorized Signatory
S.Sathish Kumar

... Petitioner in
W.P.No.10481/2018

Vs.

1. Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO),
rep by its Chairman and Managing Director,
144, Anna Salai, Chennai - 600 002.
2. The Director/Generation,
X Floor, Eastern Wing,
144, Anna Salai, Chennai - 600 002.
3. The Chief Engineer,
Non Conventional Energy Sources, TANGEDCO,
II Floor, Eastern Wing,
144, Anna Salai, Chennai - 600 002.
4. The Superintending Engineer,
NCES/TANGEDCO, 15, 15-A,
Kolumam Road,
Udumalpet - 642 126.

... Respondents in both W.Ps

Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of Writ of mandamus directing the respondents 2 & 3 to give permanent connectivity for the petitioners' wind mills bearing WEG No.2227 & 2228 & 2226 to Kotamangalam 110/22kv sub-station as per the 4th respondent's recommendation letter dated 23.02.2018.

For Petitioners : Mr.AR.L.Sundaresan, Senior Counsel
for M/s.R.Pandiyaraj

For Respondents : Mr.S.K.Raameshuwar,
Standing Counsel

C O M M O N O R D E R

These Writ Petitions have been filed for issuance of writ of mandamus seeking direction to the respondents 2 & 3 to give permanent connectivity for the petitioners' wind mills bearing WEG No.2227 & 2228 & 2226 to Kotamangalam 110/22kv sub-station as per the 4th respondent's recommendation letter dated 23.02.2018.

2.Mr.AR.L.Sundaresan, learned senior counsel appearing for the petitioners, taking support from the recommendations/proposal made by the 4th respondent viz., the Superintending Engineer, NCES/TANGEDCO had submitted that since the petitioners have made huge investments for establishing and commissioning Wind Energy Generators and taking note of the fact that keeping the 3 x 600 KW Wind Energy Generators idle for nearly an year owing to Right of Way (ROW) issues in laying lines, requested the 3rd respondent to permit the petitioner Company to connect permanently in the Kotamangalam 110/22 KV SS (a) using the A.P.Puthur 22 KV Feeder for the 2 x 600 KW WEGs Registered as 1) 87 (U)/2016-17, HT SC No.U.2227 DoC 04.04.2017 and 2)90 (U)/2016-17, HT SC No U.2226 Doc 04.04.2017; (b)using the Ponneri 22 KV Feeder for the 1 x 600 KW WEG registered as 89 (U)/2016-17, HT SC No.U.2228 DoC 04.04.2017. Inspite of the aforementioned recommendation/proposal made by the Superintending Engineer, In-Charge NCES, Udumalpet to the Chief Engineer, Chennai, till date no action has been taken and hence, the petitioners have come to this Court by way of these Writ Petitions seeking for direction to the respondents 2 & 3.

3.The learned Standing counsel appearing for the respondents sought time to get instructions, but this Court is not inclined to grant any time.

4.This Court hereby directs the 3rd respondent viz., the Chief Engineer, NCES, TANGEDCO to consider the recommendation made by the 4th respondent viz., the Superintending Engineer,

NCES, TANGEDCO, Udumalpet, dated 23.02.2018 and pass final orders within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petitions are disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. Chairman and Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
144, Anna Salai, Chennai - 600 002.
2. The Director/Generation,
X Floor, Eastern Wing,
144, Anna Salai, Chennai - 600 002.
3. The Chief Engineer,
Non Conventional Energy Sources, TANGEDCO,
II Floor, Eastern Wing,
144, Anna Salai, Chennai - 600 002.
4. The Superintending Engineer,
NCES/TANGEDCO, 15, 15-A, Kolumam Road,
Udumalpet - 642 126.

+1cc to Mr.S.K.Raameshuwar, Advocate, S.R.No.31203

+2ccs to M/s.R.Pandiyaraj Advocate, S.R.No.31390

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