

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2018

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.4099 of 2010 and
M.P.Nos.2 and 3 of 2010 and
M.P.No.1 of 2011

The Tamilnadu Power Producers Association,
No.26, Mooker Nalla Muthu Street, 2nd Floor,
Chennai 600 001.

...Petitioner

Vs

1.State of Tamil Nadu,
Rep by the Secretary to Government,
Energy Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2.The Tamil Nadu Electricity Board,
Rep by its Chairman,
No.144, Anna Salai,
Chennai - 600 002.

3.PTC India Limited,
2nd Floor, NBCC Tower,
15 Bhikaji Cama Place
New Delhi - 110066.

4.Union of India,
Ministry of Power,
Shram Shakti Bhavan, New Delhi 110001.

5.Central Electricity Regulatory Commission
3rd and 4th Floor, Chanderlok Building,
36, Janpath, New Delhi-110001.

...Respondents

PRAYER: Petitions filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus calling for the records comprised in the impugned G.O.(Ms.) No.10 dated 27.2.2009 passed by the 1st Respondent and set aside the same as being unconstitutional and ultra vires the powers under S.11 of the Electricity Act,2003 in so far as it restricts inter state sale and inter state open access and consequently direct respondents 1 and 2 to act strictly in terms of the Electricity Act, 2003 and the CERC Open Access in Interstate Transmission Regulations by permitting the petitioner's members to generate, transmit and sell electricity to any person outside the State of Tamilnadu in compliance with the terms thereof.

For Petitioner : Mr.R.Parthasarathy
For Respondents : Mr.I.Sathish,
Additional Government Pleader
for R1
: Mr.S.K.Rameshwar for R2
: Mr.A.Kumaraguru for RR4 & 5

O R D E R

The learned counsel appearing for the petitioner seeks permission of this Court to withdraw this writ petition and he has also made an endorsement to that effect.

2. In view of the submission and endorsement made by the learned counsel for the petitioner, this Writ Petition stands dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-IX)

// True Copy//

Sub Assistant Registrar

To

- 1.The Secretary to Government,
State of Tamil Nadu,
Energy Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Chairman,
The Tamil Nadu Electricity Board,
No.144, Anna Salai, Chennai - 600 002.
- 3.PTC India Limited,
2nd Floor, NBCC Tower,
15 Bhikaji Cama Place
New Delhi - 110066.
- 4.Union of India,
Ministry of Power,
Shram Shakti Bhavan, New Delhi 110001.
- 5.Central Electricity Regulatory Commission,
3rd and 4th Floor, Chanderlok Building,
36, Janpath, New Delhi-110001.

+1cc to Mr.R.Parthasarathy, Advocate SR.No.55563
+1cc to Mr.A.Kumaraguru, Advocate SR.No.55735
+1cc to Mr.T.Mohan, Advocate SR.No.55272

W.P.No.4099 of 2010

SMI/30.08.2018

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