

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.38082 of 2016

Ind-Barath Powergencom Limited
New No.20/Old No.129, Chamiers Road
Nandanam, Chennai 600 035
Tamil Nadu rep.by its President
(Commercial & Admn)/Authorised Signatory Petitioner

-vs-

1. Tamil Nadu Electricity Generation,
and Distribution Corporation (TANGEDCO),
rep by its Chairman and Managing Director,
No.144, Anna Salai,
Chennai 600 002.
2. Tamil Nadu Transmission Corporation Ltd.,
rep by its Chairman
No.144, Anna Salai
Chennai 600 002
3. The Chief Engineer / PPP,
Tamil Nadu Electricity Generation,
and Distribution Corporation (TANGEDCO),
No.144, Anna Salai, IV Floor,
Chennai 600 002.
4. The Superintending Engineer,
Tuticorin Electricity Distribution Circle,
Tuticorin.
5. The State Load Dispatch Centre,
C/o TANTRANSCO,
rep by its Director,
No.144, Anna Salai,
Chennai 600 002.

6. The Director Finance,
TANGEDCO,
No.144, Anna Salai,
Chennai 600 002.

7. The Chief Finance Controller,
Revenue,
TANGEDCO,
No.144, Anna Salai,
Chennai 600 002.

8. IL & FS Financial Services Ltd.,
rep by its Managing Director,
Cyber Towers,
Sanali Info Park,
"B" Block, 4th Floor, Road No.2
Panjara Hills,
Hyderabad-33.

... Respondents

Petition under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 7 to forthwith settle the sum of Rs.143,79,66,721/- towards the pending bills towards the cost of electricity supplied to the first respondent in LOA dated NIL in Tender No.6 of 2014 and the surcharge amount payable to the petitioner pursuant to the delayed payment on the invoices raised by the petitioner by paying a sum of Rs.20,49,32,513/- to the eighth respondent and the balance sum of Rs.123,30,54,208/- plus subsequent surcharge amount on Rs.55,08,20,321.00 till date of payment to the petitioner.

For Petitioner :: Mr.S.Kaushik Ramaswamy

For Respondents 1 to 7 :: Mr.Abdul Saleem
Standing Counsel

ORDER

The writ petition has been listed under the caption "for withdrawal" based on the letter dated 17.9.2019 given by the learned counsel for the petitioner before the Registry. The learned counsel for the petitioner submitted that the matter has been settled in view of the Minutes of the 6th Meeting held in PWD Conference Hall, Energy Department, Fort St. George, Chennai on 24.05.2018, which has already become part of the order dated 29.5.2018 passed by the National Company Law Appellate Tribunal, New Delhi in Company Appeal (AT) (Insolvency) No.232 of 2017. Referring to clause 9 of the Minutes, learned counsel appearing

for the petitioner sought permission to withdraw the writ petition. Accordingly, the writ petition is dismissed as withdrawn. Consequently, W.M.P.No.32656 of 2016 is also dismissed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman and Managing Director,
Tamil Nadu Electricity Generation,
and Distribution Corporation (TANGEDCO),
No.144, Anna Salai,
Chennai 600 002.
2. The Chairman,
Tamil Nadu Transmission Corporation Ltd.,
No.144, Anna Salai,
Chennai 600 002.
3. The Chief Engineer / PPP,
Tamil Nadu Electricity Generation,
and Distribution Corporation (TANGEDCO),
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C/o TANTRANSCO,
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6. The Director Finance,
TANGEDCO,
No.144, Anna Salai,
Chennai 600 002.

7. The Chief Finance Controller,
Revenue,
TANGEDCO,
No.144, Anna Salai,
Chennai 600 002.

+lcc to Mr.Anirudh Krishnan, Advocate Sr.82431

W.P.No.38082 of 2016

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srg 23/10/2019



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