

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:17.10.2019

Coram:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.29754 of 2019
and
W.MP.No.29651 of 2019

M/s Regen Powertech Private Limited
Having its Registered Office at
Sivanandam, 1st Floor, New No.1,
Pulla Avenue, Shenoy Nagar,
Chennai Tamil Nadu 600 030.

.. Petitioner

/versus/

1.Tamil Nadu Electricity Regulatory Commission,
No.19A, Rukmini Lakshmipathy Salai,
Egmore, Chennai 600 008.

2.TANGEDCO,
Rep.by its Managing Director,
No.144, Anna Salai,
Chennai 600 002.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to fix a date and effectively adjudicate upon I.A.No.3 of 2019 in D.R.P.5 of 2019 in an expedient manner and within a time frame set by this Court prior to expiry of the bank guarantee dated 17.10.2017 (Bank Guarantee No.010971117000029).

For Petitioner :Mr.S.Aravindan

For Respondents:Mr.S.K.Rameshwar
standing counsel for R1 & R2

ORDER

The prayer in the writ petition is to issue a Writ of Mandamus directing the 1st respondent to fix a date and effectively adjudicate upon I.A.No.3 of 2019 in D.R.P.5 of 2019 in an expedient manner and within a time frame set by this Court prior to expiry of the bank guarantee dated 17.10.2017 (Bank Guarantee No.010971117000029).

2. Heard Mr.S.Aravindan, learned counsel appearing for the petitioner and Mr.S.K.Rameshwar, learned standing counsel, who takes notice for the respondents.

3. Earlier this Court while referring the matter to Tamil Nadu Electricity Regulatory Commission made a specific direction that the petitioner should keep the bank guarantee alive. Since the matter has already been seized by the TNERC (Statutory authority) and pending, any relief shall only be before the authority. This writ petition cannot be entertained. Hence, this Writ Petition is dismissed with cost of Rs.5,000/- for forum hunting. Cost of Rs.5,000/- to be paid to the Red Cross Society, Chennai. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To:

- 1.Tamil Nadu Electricity Regulatory Commission,
No.19A, Rukmini Lakshmipathy Salai,
Egmore, Chennai 600 008.
- 2.TANGEDCO,
Rep.by its Managing Director,
No.144, Anna Salai,
Chennai 600 002.
- 3.The Red Cross Society,
Chennai.

+1cc to Mr.S.K.Rameshwar, Advocate SR.87046

W.P.No.29754 of 2019
and

W.MP.No.29651 of 2019

JP (CO)
CB(26/11/2019)

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