



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.NO.12390 OF 2013

AND

M.P.NOS.3 & 4 OF 2013

AND

M.P.NO.1 OF 2014

M/s. DCW Limiteg
Rep. by its
Senior General Manager (Electrical)
358, Anna Salai,
Thousand Lights,
Chennai – 600 006

... Petitioner

Vs.

1. Union of India
Represented by the Secretary, Ministry of Power,
Shram Shakti Bhavan,
Ministry of Power,
New Delhi – 1
2. State of Tamil Nadu
Through its Secretary
Department of Energy Fort St. George,
Chennai – 600 009
3. Central Electricity Regulatory Commission
3 rd & 4 th Floor, Chanderlok Building,
36, Janpath, New Delhi – 110 001
4. Tamil Nadu Electricity Regulatory Commission
Through its Secretary
No. 19A, Rukmini Lakshmipathy Salai,
Egmore, Chennai – 600 008
5. Tamil Nadu Generation and Distribution Ltd. I
Rep by its Chairman and Managing Director,
144 Anna Salai, Chennai – 600 002



WEB COPY

6. Solar Energy Association
Bearing Registration No.195/2012
No.694/1, Chendrapuram,
Dharapuram Road, Tirupur 641 605
Tirupur District.

...Respondents

(R6 - Impleaded as per order dated 06.11.2013 in M.P.No.5 of 2013 in W.P.No.12390 of 2013)

Prayer :

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of certiorari calling for the records 2nd respondent comprised in G.O (Ms) No. 121/Energy (C2)/ dated 19-10-2012 of the Government of Tamil Nadu in so far as it requires imposition of and compliance with Solar Purchase Obligation and the consequential suo-motu order entitled "Issues relating to Tamil Nadu Energy Policy 2012" being Order No.1 of 2013 dated 07-03-2013 issued by the 4th Respondent and quash the same as being illegai, unconstitutional, and ultra vires Section 86 (1) (e) of the Electricity Act, 2003.

For Petitioner	:	Mr.Rahul Balaji
For Respondent 1	:	Mr.D.Ramesh Kumar Central Government Standing counsel
For Respondent 2	:	Mrs.N.Senthil Selvi Government Advocate
For Respondent 3	:	Mr.T.Mohan
For Respondent 4	:	No Appearance
For Respondent 5	:	Mr.L.Jai Venkatesh For TANGEDCO
For Respondent 6	:	Mr.A.Sivaji

O R D E R

The issues raised in the present Writ Petition had considered elaborately by the Appellate Tribunal for Electricity in Appeal No.92 of 2013 & I.A.No.151 of 2013 and Appeal No.109 of 2013 dated 21.01.2014.



licensee.

v) The State Commission has simply tried to implement the directions of the State Government by passing the impugned order without considering its own functions and powers under the 2003 Act and its own Renewable Energy Regulations notified under the Act and even without considering the other important issues raised by the objectors."

3. In view of the order passed by the Appellate Tribunal for Electricity, no further consideration needs to be undertaken in respect of the grounds raised and the Writ Petition stands closed. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

shr/kan

To

1. Union of India
Represented by the Secretary, Ministry of Power,
Shram Shakti Bhavan,
Ministry of Power,
New Delhi - 1
2. State of Tamil Nadu
Through its Secretary
Department of Energy Fort St. George,
Chennai - 600 009
3. Central Electricity Regulatory Commission
3 rd & 4 th Floor, Chanderlok Building,
36, Janpath, New Delhi - 110 001
4. Tamil Nadu Electricity Regulatory Commission
Through its Secretary
No. 19A, Rukmini Lakshmipathy Salai,
Egmore, Chennai - 600 008



5. Tamil Nadu Generation and Distribution Ltd. I
Rep by its Chairman and Managing Director,
144 Anna Salai, Chennai – 600 002

6. Solar Energy Association
Bearing Registration No.195/2012
No.694/1, Chendrapuram,
Dharapuram Road, Tirupur 641 605
Tirupur District.

+1cc to Mr.A.Sivaji, Advocate, S.R.No.64290
+1cc to Mr.L.Jai Venkatesh, Advocate, S.R.No.64439
+1cc to Mr.R.Parthasarathy, Advocate, S.R.No.64709

W.P.No.12390 of 2013

AD(CO)
PM/21/12/2021