

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.20447 of 2011
and
M.P.Nos.1, 2 and 3 of 2011

The Madras Aluminium Co Limited,
Mettur R.S., Mettur Dam,
Salem District - 636 402. ... Petitioner

Vs.

- 1.The State of Tamilnadu,
Represented by its Secretary,
Energy Department, Fort St. George,
Chennai 600 009.
- 2.The Tamilnadu Generation and
Distribution Corporation Limited,
144, Anna Salai, Chennai 600 002.
- 3.The Tamil Nadu Electricity Regulatory Commission,
19A, Rukmini Lakshmipathy Salai,
Egmore, Chennai - 08.
- 4.M/s.Ind-Barath Power Gencom Limited,
New No.20, Old No.129, Chamiers Road,
Nandanam, Chennai 600 035.
- 5.M/s.OPG Power Generation Private Limited,
117, P.S.Sivasami Salai, St.Ebba's Avenue,
Mylapore, Chennai 600 004. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, to call for the records of the 3rd respondent comprised in its impugned orders in P.P.A.P.No.5/11 dated 11.07.2011 and quash the same and direct the 3rd respondent to take up the said P.P.A.P.No.5/2011 filed by the 2nd respondent and dispose off the same on merits in a time bound manner after hearing the parties and fix the maximum ceiling of tariff for purchase of electricity in pursuance of an agreement between the generating companies located in Tamil Nadu totalling a quantity of 600 MW for the period June 2011 to May 2012 by following the

provisions S.62 and the guidelines set out in S.61 of the Electricity Act, 2003 in consonance with the Tariff Regulations framed pursuant thereto by the TNERC.

For Petitioner : Mr.Rahul Balaji
For Respondents: Mr.N.Inbanathan
Additional Government Pleader for R1
Mr.N.Dhamodharan
for R2
Mr.S.Chockalingam for R3
No appearance for R4 & R5

O R D E R

When this matter was taken up for hearing, the learned counsel for the respondents submits that this writ petition has become infructuous in the light of the order passed by TNERC namely the 3rd Respondent vide letter dated 11.07.2011 in P.P.A.P.No.5/11.

2.Recording the same, this Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary,
State of Tamilnadu, सत्यमेव जयते
Energy Department,
Fort St. George, Chennai 600 009.

2.The Tamilnadu Generation and
Distribution Corporation Limited,
144, Anna Salai, Chennai 600 002.

3.The Tamil Nadu Electricity Regulatory Commission,
19A, Rukmini Lakshmiipathy Salai,
Egmore, Chennai - 08.

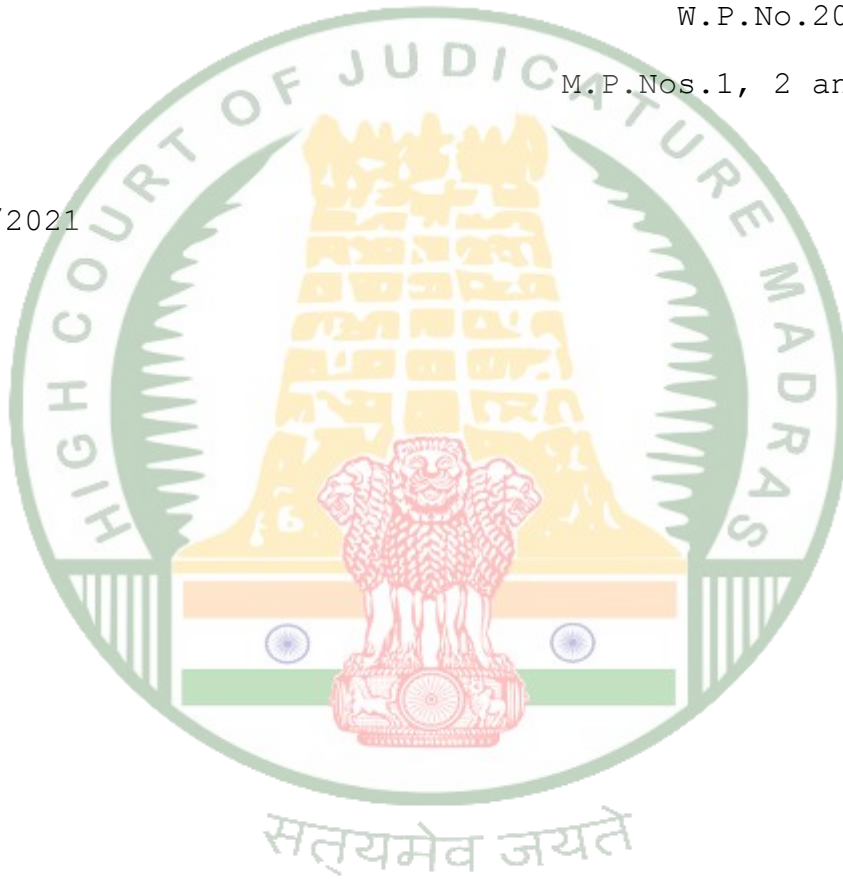
4.M/s.Ind-Barath Power Gencom Limited,
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5.M/s.OPG Power Generation Private Limited,
117, P.S.Sivasami Salai, St.Ebba's Avenue,
Mylapore, Chennai 600 004.

+lcc to the Government Pleader Sr.12810

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srg 17/03/2021



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