

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.9378 of 2021
and WMP.No.9968 of 2021

M/s. Shri Om Wind Energy Private Limited,
Represented by its Managing Director,
Mr.V.Saravanan,
L-4, Sidco Industrial Estate,
Chennimalai Road, Erode. ... Petitioner

Vs

1. The Chairman and Joint Managing Director,
TANGEDCO,
144, Anna Salai,
Chennai - 600 002.
2. The Chief Engineer, NCES,
TANGEDCO,
2nd Floor, 144, Anna Salai,
Chennai - 600 002.
3. The Superintending Engineer,
Palladam EDC, TANGEDCO, Palladam.
4. The Superintending Engineer,
Mettur EDC, TANGEDCO, Mettur.
5. The Superintending Engineer,
Erode EDC, TANGEDCO, Erode.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the Respondents to upload the names of the Petitioner's group captive consumers in the portal, so as to make the allotment of electricity generation by the Petitioner.

For Petitioner :Mr.T.Chezhiyan

For Respondents :Mr.M.Vijaya Mehanath

ORDER

Mr.M.Vijaya Mehanath, learned counsel takes notice for the respondents. By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

2.This writ petition has been filed for a mandamus directing the respondents to upload the names of group captive consumers in the portal, so as to enable the petitioner to allot the electricity generated by them.

3.It is the case of the Petitioner that on 24.06.2017, they entered into an Energy Wheeling Agreement with the third respondent, and the electricity generation was utilised by the group captive consumers mentioned in the agreement till October 2020, as per the said agreement. However, when the petitioner was trying to allot the energy generated in the TANGEDCO portal available for allotment to the group captive consumers in the month of November, they could not do the same, as the names of the group captive consumers are not available in the portal. Due to the act of the respondent TANGEDCO in removing the names of the group captive consumers, the petitioner could not utilise the electricity generation and the total energy generated from October 2020 to March 2021, at 1,54,097 units, would be wasted. Stating so, the Petitioner sent a representation 07.11.2020 followed by a reminder dated 19.02.2021 to the first respondent with a copy marked to the other respondents, requesting to upload the names of their group captive consumers in the portal, so as to enable the petitioner to adjust the 1,54,097 units generated by their windmill bearing HTSC No.039204390162 towards his group captive consumers in HTSC Nos.049094220339 and 049094260240. However, till date, no action was taken on the said representations. Hence, this writ petition.

4.The learned counsel for the petitioner submitted that the petitioner would be satisfied, if the representation submitted by them is directed to be disposed of by the respondents, within a time frame to be stipulated by this Court.

5.The learned counsel taking notice for the respondents has no serious objection for granting such relief to the petitioner.

6.Considering the nature of the relief now sought by the learned counsel for the petitioner, which has not been seriously opposed on the side of the respondents, this Court directs the respondents to consider the petitioner's latest representation dated 19.02.2021 and pass appropriate orders on merits and in accordance with law, after providing an opportunity of hearing

to the petitioner as well as any other interested parties, within a period of four (4) weeks from the date of receipt of a copy of this order.

7.This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

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To

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RLD (CO)
GMY (08/07/2021)

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