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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.6635 of 2015
M.P.Nos.3 and 4 of 2015

Cheyyar Cooperative Sugar
Mills Limited
Rep by its Managing Director
Anakkavoor - Thenthandalam
Cheyyar 604 401.

...Petitioner

.Vs.

1. Tamil Nadu Generation and
Distribution Corporation Limited
Rep by its Chairman
NPKRR Maaligai
144, Anna Salai
Chennai 600 002.

2. The Chief Finance Controller/Revenue
TANGEDCO (Accounts Branch)
144, Anna Salai
Chennai 600 002.

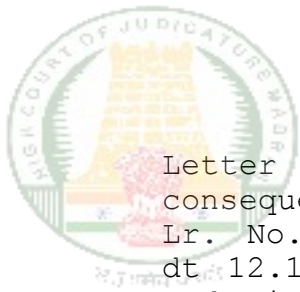
3. The Director (Finance)
TANGEDCO
144 Anna Salai
Chennai 600 002.

4. The Superintending Engineer
TANGEDCO, Thiruvannamalai Circle
Thiruvannamalai.

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

...Respondents

Prayer:- Writ Petition filed under Article 226 of the
Constitution of India praying for issuance of a Writ of
Certiorarified Mandamus, calling for the records of the second
respondent in the impugned instruction the second respondent in



Letter No.CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dt 7.9.2013 and the consequent demand notices received from the 4th respondent in Lr. No. SE/ TEDC/ AO/REV/RCS/A.1/F. Start Up Power/D386-1/2013 dt 12.11.2013 and quash the same as being arbitrary, illegal and without authority of law and to consequently direct refund of the sum of Rs.13,29,645/- collected towards start-up power charges from the petitioner together with interest at the same rate charged by the respondents towards Belated Payment Surcharge quash the same and direct the respondents to collect payment for drawal of power during season and off-season in terms of the PPA and applicable Tariff Orders, or, in the alternative, to collect payment for drawal of power under HT / A both during season and off-season.

For Petitioner : Mr.Rahul Balaji

For Respondents : Mr.L.Jaivenkatesh
Standing Counsel

O R D E R

The issue that has been raised in the present writ petition is covered by the orders passed by this Court in the batch of Writ Petitions in W.P.Nos.26266, 26553, 26554, 27269, 28093, 28443, 27324, 27325, 27326, 27807, 27808, 27841, 28374, 28438, 28440, 28451, 28885, 28886, 28952, 30433, 30502, 30629, 30630, 31160, 33026, 33113, 33151, 33150, 33210, 33115, 33116, 33117, 33119, 33118, 33114, 34739, 35041, 35042 of 2013 and 848, 869, 4924, 14037, 14952 272, 6382, 17057 of 2014 and 3522 of 2017 dated 27.08.2021. Consequently, the directions given by this Court will equally apply to the present writ petition also.

2.Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP

To

1. Tamil Nadu Generation and
Distribution Corporation Limited,
Rep by its Chairman
NPKRR Maaligai 144, Anna Salai
Chennai 600 002.



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Chennai 600 002.
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TANGEDCO, Thiruvannamalai Circle,
Thiruvannamalai.
5. Tamil Nadu Electricity
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W.P.No.6635 of 2015

AD[co]
NSK 20/10/2021