

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.18439 of 2020

Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
rep. by its Chief Engineer/
Private Power Projects R.Krishnamoorthy
Having Registered Office at
NPKRR Maaligai, No.144, Anna Salai,
Chennai - 600 002.

.. Petitioner

vs.

1. Union of India,
Department of Law & Justice,
rep. by its Secretary, No.26, Mansingh Road,
Jaisalmer House, New Delhi - 110 011.

2. Pioneer Power Limited,
rep. by its Managing Director,
New No.8, Casa Major Road,
2nd Cross Street, Jerret Garden,
Egmore, Chennai - 600 008.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India for issuance of a Writ of declaration or
any other appropriate Writ, order or direction declaring the
provisions of the insolvency and bankruptcy code 2016 as
arbitrary unconstitutional void and inapplicable in so far as
the petitioner is concerned and also to disputes under the
domain of State Commission as envisaged under Section 86 (1)(f)
of the Electricity Act, 2003.

For Petitioner : Mr.B.Arvind Srevatsa

For Respondents : Mr.K.S.Jeyaganeshan
SPC for respondent No.1

: Mr.Anirudh Krishnan
for respondent No.2

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The petitioner has filed a memorandum claiming that the disputes with the second respondent arising out of the power purchase agreement dated August 25, 2004 have been amicably resolved.

2. Several legal issues have been raised in the petition. However, since the disputes between the petitioner and the second respondent have been resolved, the petitioner seeks to withdraw the petition with liberty to file afresh, if necessary, to canvass the legal issues.

3. W.P.No.18439 of 2020 is permitted to be withdrawn with liberty to file afresh qua the legal issues.

W.M.P.Nos.22865 of 2020 and 2895 of 2021 are closed. There will be no order as to costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sasi/bbr

To:

1. The Secretary,
Union of India, Department of Law & Justice,
No.26, Mansingh Road, Jaisalmer House,
New Delhi - 110 011.
2. The Chief Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Private Power Projects R.Krishnamoorthy
NPKRR Maaligai, No.144, Anna Salai,
Chennai - 600 002.

+1cc to Mr.B.Arvind Srevatsa, Advocate, S.R.No.28900

W.P.No.18439 of 2020

RLD(CO)
CS/09/07/2021