



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Friday, the Thirtieth day of April

Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

W.M.P. (MD) .No.6885 of 2021

IN

W.P. (MD) .No.16799 of 2020

M/s.Shankar Abodes Solar Private Limited,
Rep by its Director,
28/38, Bharathi Nilayam,
3rd Cross, Thillai Nagar,
Trichy-620 018 ...Petitioner/3rd Respondent/3rd Respondent

Vs

1.S.J.Engineers Renewable Energy (P) Ltd.,
Having its registered Office at
No.27, Krishna Colony,
P.B.No.1850, Trichy Road,
Coimbatore and its Administrative Office at
Varsha B-19, Vasudhara Enclave, Agrini Apartments,
T.P.K.Road, Madurai, Through its Director.
1st Respondent/Petitioner/Petitioner

2.The Chief Engineer,
Non-Conventional Energy Sources,
TANGEDCO, 2nd Floor, Eastern Wing,
144, Anna Salai, Chennai-600 002.

3.The Superintending Engineer,
Karur Electricity Distribution Circle,
TANGEDCO, No.3, Kovai Road,
Karur-639 002. ...2 & 3 Respondents/Respondents1&2/
Respondents 1&2

Prayer in W.M.P.(MD).No.6885 of 2021 :- Petition filed under Article 226 of the Constitution of India, to extend the time to deposit of Rs.60 Lakhs as per the Order dated 27/01/2021 passed in W.M.P.No.14027,14032,14028 and 15974 of 2020 in W.P.(MD).No.16799 of 2020.



Prayer in WP.(MD).No.16799 of 2020: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the 1st respondent's proceedings in memo NO.Lr.No.CE/NCES/SE/Solar/EE/SCB/AEE/2F, M/s.Shankar Apodes Solar Pvt Ltd., D.989/19 dt.01/08/2019 and quash the same in so far as the condition No.4 is concerned and the consequential proceedings of the 1st respondent's proceedings dt.28/07/2020 in Memo.No.DIR/GEN/EC/NCES/SE/Solar/EE/SCB/AEE/2F, M/s.Shankar Abodes Solar Pvt Ltd., D.713/20 and quash the same in so far as it relates to the condition No.3 as illegal, arbitrary and without jurisdiction and further direct the respondents 1 and 2 not to permit transmission by any generating plant and forbear the respondents 2 and 3 from transmitting, through the petitioner's 33KV transmission line at Iyermai Sub-Station, without a line sharing agreement with the petitioner.

ORDER:- This Petition coming on for hearing on this day and upon perusing the grounds and the affidavit filed in support thereof and upon hearing the arguments of Mr.G.D.Manikandan, Advocate for the Petitioner and, this court made the following order:

The learned counsel for the petitioner in this miscellaneous petition citing the difficulties caused by the pandemic seeks extension of time for depositing the amount in question.

2.I am satisfied with the reasons set out in the affidavit filed in support of this petition. The miscellaneous petition is allowed and the petitioner is granted eight weeks time from the date of receipt of this order copy. I make it clear that only after depositing a sum of Rs.60,00,000/-, the permission sought for by the petitioner for utilisation of the dedicated transmission line for the remaining capacity will be granted.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

+2 CC to Mr.G.D.Manikandan, Advocate SR.No. 18135



WEB COPY

W.M.P.(MD).No.6885 of 2021

ORDER DATED : 30/04/2021

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ORDER

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W.M.P (MD) .No.6885 of 2021
IN
W.P. (MD) .No.16799/2020

Giving direction and etc.
as stated within.

KMV (CO)
TR (18.05.2021) 3P 3C