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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2022

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.4927 of 2022

M/s.Kamal Encon Industries Limited
rep. By its Authorized Signatory

... Petitioner

Vs

- 1 The Tamil Nadu Generation and
Distribution Corporation Ltd (TANGEDCO)
Rep by its chairman and Managing Director
10th Floor No.144 Anna Salai
Chennai- 600 002.
- 2 The Chief Financial Controller
- Revenue TANGEDCO 7th Floor 144 Anna
Salai Chennai- 600 002.
- 3 The Chief Engineer NCES
TANGEDCO 144 Anna Salai Chennai- 600 002.
- 4 The Superintending Engineer
TANGEDCO Tirunelveli Electricity
Distribution Circle Tirunelveli- 627 011.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus Directing the Respondent TANGEDCO to comply with the orders and directions passed by the Honble Tamil Nadu Electricity Regulatory Commission Chennai (Honble TNERC) and release payment due upto 30.10.2021 amounting to a) Rs.2,14,29,556 /- being amount payable up to 30.10.2021 to the Petitioner vide order dated 16.03.2021 passed by the Honble TNERC in D.R.P. No.6 of 2020 along with accumulate pendent lite Interest payable thereon till the date of full payments.



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For Petitioner : Mr.Rahul Balaji

For Respondents : Mr.Abul Kalam
Standing Counsel

O R D E R

Mr.Abdul Kalam, learned Standing Counsel accepts notice for the respondents and is armed with instructions to proceed with the matter finally. Hence, by consent of both sides, this Writ Petition is disposed finally even at the stage of admission.

2. The prayer of the petitioner is for a mandamus directing the respondents, i.e., the officials of TANGEDCO to comply with orders and directions of the Tamil Nadu Electricity Regulation Commission dated 16.03.2021 that have become final as on date, as no appeal has been filed challenging the same within the stipulated period of 45 days in terms of Section 111 of the Electricity Act, 2003.

3. Mr.Kalam would assure the Court that the amount of Rs.2,14,29,556/-, being the amount payable to the petitioner upto 30.10.2021, will be paid to the petitioner along with interest, in terms of the order of the Tamil Nadu Electricity Regulation Commission dated 16.03.2021, within a period of four (4) weeks from today.

4.Recording the aforesaid submission, this Writ Petition stands disposed. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

- 1 The Chairman and Managing Director,
The Tamil Nadu Generation and
Distribution Corporation Ltd (TANGEDCO)
10th Floor No.144 Anna Salai,
Chennai- 600 002.



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2 The Chief Financial Controller,
- Revenue TANGEDCO 7th Floor,
144 Anna Salai, Chennai- 600 002.

3 The Chief Engineer NCES,
TANGEDCO, 144 Anna Salai,
Chennai- 600 002.

4 The Superintending Engineer,
TANGEDCO Tirunelveli Electricity,
Distribution Circle,
Tirunelveli- 627 011.

+1cc to Mr.R.Parthasarathy, Advocate Sr.14963

W.P.No.4927 of 2022

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srg 06/04/2022