



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.9354 of 2022

M/s.R.K.K.R. Steels Limited
rep. by its authorized Signatory
6/13, North Avenue, K.P.Puram
Chennai - 600 028.

...Petitioner

Vs.

1. The Director (Finance)
TANGEDCO
144, Anna Salai, Chennai - 600 002.
 2. The Superintending Engineer,
Chennai Electricity Distribution Circle/TANGEDCO
144, Anna Salai, Chennai - 600 002.
 3. The Superintending Engineer,
Dindigul Electricity Distribution Circle/TANGEDCO
Dindigul - 624 002.
- ...Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents herein to make the payment of Rs.31,72,974/- (Rupees Thiry One Lakhs Seventy Two Thousand Nine Hundred Seventy Four only) being 75% of the purchase rate that is Rs.2.90 per unit for 10,94,129 units injected during April 2014 to 07.07.2015 as per the orders dated 03.08.2021 in DRP No.1 of 2016 of the Tamil Nadu Electricity Regulatory Commission.

For Petitioner : Mr.AL.Gandhimathi

For Respondents : Mr.Abul Kalam

Standing Counsel



O R D E R

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

2. The petitioner seeks a mandamus directing the respondents to make payment of Rs.31,72,974/-, being 75% of the purchase rate that is Rs.2.90 per unit for 10,94,129 units injected during April 2014 to 07.07.2015 as per orders dated 03.08.2021 in DRP No.1 of 2016 of the Tamil Nadu Electricity Regulatory Commission.

3. Reliance in this regard is placed on an order passed by the Tamil Nadu Electricity Regulatory Commission (in short 'Commission') in DRP No.1 of 2016 dated 03.08.2021.

4. In the present case, there appears to be some difference of opinion between the authorities on the exact quantum of refund to be issued, though Mr. Kalam would fairly submit that the order of the Commission has attained finality and has not been carried in appeal by the respondents. According to him, the amount due to the petitioner is only a sum of Rs.18,40,179/- and not as claimed by the petitioner.

5. On account of the aforesaid disputed fact, suffice it to direct the first respondent to consider the representation of the petitioner dated 22.10.2021 and dispose the same within a period of six (6) weeks from today, after hearing the petitioner and in accordance with applicable Rules and Regulations.

6. This Writ Petition is disposed as above. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



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To

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Dindigul - 624 002.

+lcc to Mrs.A.L.Ganthimathi, Advocate Sr.26563

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rk[co]
srg 06/05/2022