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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.05.2022

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.NO.12755 OF 2022

AND

W.M.P.NO.12213 OF 2022

M/s.Swami Green Energy Private Limited,
Represented by its Authorised Signatory,
Mr.Ramesh Kumaran Duraisamy,
No.78, Valliappagoundenvalasu, Thurambadi,
Nathapalayam (PO), Mulanur,
Tiruppur - 638 106.

... Petitioner

Vs

1. The Chairman,
TANGEDCO,
144, Anna Salai, Chennai - 600 002.
2. The Chief Engineer, NCES,
TANGEDCO,
2nd Floor, 144, Anna Salai, Chennai - 600 002.
3. The Superintending Engineer,
TANGEDCO, Coimbatore EDC, Coimbatore.
4. The Superintending Engineer,
TANGEDCO, Dindigul EDC, Dindigul.

... Respondents

Prayer:

Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents for the termination of the Energy Purchase Agreement in WF HT SC No.039224391758, WF HT SC No.039224391788, WF HT SC No.039224391789, WF HT SC No.039224391809 and WF HT SC No.039224320297 all dated 14.03.2022 and to execute Energy Wheeling Agreement for Captive Consumption as per the request made by the petitioner.



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For Petitioner : Mr.N.Santhosh Nagarajan

For Respondents: Mr.Abul Kalam
Standing Counsel (TNEB)

ORDER

The petitioner seeks a direction for the termination of the Energy Purchase Agreement entered into with the respondents and to migrate to an Energy Wheeling Agreement.

2. Learned counsel for the petitioner states that W.P.No.11456 of 2022 was filed earlier for substantially similar relief and the said writ petition was allowed, by an order dated 29.04.2022. Since the petitioner herein is similarly placed, it is stated that the said order squarely applies to this case.

3. Mr.Abul Kalam, learned Standing Counsel (TNEB), accepts notice for the respondents and concurs that the petitioner's case is covered by the said judgment.

4. Accordingly, W.P.No.12755 of 2022 is allowed by following the orders passed in W.P.No.5196 of 2019 batch dated 30.08.2019 and W.P.No.11456 of 2022 dated 29.04.2022. No costs. Connected miscellaneous petition is closed.

-s/d-
Vacation Officer

True Copy

Sub-Assistant Registrar

kmm

To

1. The Chairman,
TANGEDCO,
144, Anna Salai, Chennai - 600 002.
2. The Chief Engineer, NCES,
TANGEDCO,
2nd Floor, 144, Anna Salai, Chennai - 600 002.
3. The Superintending Engineer,
TANGEDCO, Coimbatore EDC, Coimbatore.



4. The Superintending Engineer,
TANGEDCO, Dindigul EDC, Dindigul.

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W.P.No.12755 of 2022
and
W.M.P.No.12213 of 2022

RK (CO)
PM/17/05/2022