



WEB COPY



W.P.No.18007 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.18007 of 2022

SEI Adhavan Power Private Limited
Flat No.6J, Century Plaza 560-562
Anna Salai - Teynampet
Chennai 600 018
Rep. by its Authorised Signatory
Swaminathan.

.. Petitioner

Vs.

1. The Union of India
Through the Ministry of Power
Shram Shakti Bhavan
New Delhi.
2. The State of Tamil Nadu
Rep. by the Chief Secretary
Secretariat, Fort St. George
Chennai 600 009.
3. Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO)
No.144, Anna Salai
Chennai 600 002.



W.P.No.18007 of 2022

4. The Superintending Engineer/Solar, TANGEDCO
2nd Floor, Eastern Wing
144, Anna Salai
Chennai 600 002.

5. The Chief Engineer, TANGEDCO
No.144, Anna Salai
Chennai 600 002.

6. The Director Finance, TANGEDCO
No.144, Anna Salai
Chennai 600 002.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorari calling for the records of the respondent No.4 in letter with Lr.No.SE.Solar/DFC/NCES/F.Liq.Scheme/D.348/2022 dated 29.06.2022 and quash the same.

For the Petitioner : Mr.Sathish Parasaran
Senior Counsel
For Mr.M.V.Swaroop

For the Respondents : Mr.V.Udayakumar
for Respondent-1

Mr.J.Ravindran
Additional Advocate General
Assisted by
Mr.L.Jaivenkatesh
Standing Counsel
for Respondents 2 to 6



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ORDER

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

The writ petitioner challenges the letter of the fourth respondent dated 29.06.2022.

2. Learned Additional Advocate General submitted that the letter under challenge is only a draft proposal and part of internal correspondence and thus, it could not give cause of action to the petitioner so as to challenge it.

3. Learned Senior Counsel appearing for the petitioner submitted that if that be so, the impugned letter should not be given effect to till a decision is taken by the respondents and liberty may given to the petitioner to challenge such decision.

4. We have considered the submissions and find that the letter under challenge is only a proposal, as stated by learned Additional Advocate General.



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5. In view of the above, the writ petition is not maintainable and accordingly, it is dismissed. However, liberty is given to the petitioner to take remedy as per law against the final decision, if taken pursuant to the proposal dated 29.06.2022. There will be no order as to costs. Consequently, WMP Nos.17331 and 17333 of 2022 are also dismissed.

(M.N.B., C.J.) (N.M., J.)
13.07.2022

Index : Yes/No

kpl

To:

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M.N.BHANDARI, CJ
AND
N.MALA,J.

(kpl)

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