



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 22.06.2022
CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

WP.No.18959 of 2019
and
WMP.No.18310 of 2019

M/s.ABT Limited,
180, Race Course Road,
Coimbatore -641 018
Rep by its Authorised Signatory,
S.Babu

... Petitioner

vs.

- 1.The Tamil Nadu Generation and
Distribution Corporation (TANGEDCO) Ltd.,
Rep. By its Chairman & Managing Director,
10th Floor, E.W., N.P.K.R.R.Maligai,
Anna Salai, Chennai 600 002.
2. The Chief Engineer,
Non-Conventional Energy Sources (NCES)
TANGEDCO, 2nd Floor, Eastern Wing,
Anna Salai, Chennai 600 002.
3. The Superintending Engineer (I/C)
Tirunelveli Electricity Distribution Circle,
TANGEDCO, Maharaja Nagar,
Tirunelveli 627 001.
4. Tamil Nadu Electricity Regulatory Commission
Through its Secretary
No.19A, Rukmini Lakshmipathy Salai,
Egmore, Chennai 600 008.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to grant long term intra state open access approval to the petitioner's Wind Energy Generators WF.HT SC. Nos.54, 93, 94, 95, 295, 297, 365 and 369 on the petitioner's application dated 15.04.2019 and consequently direct the 3rd respondent to renew the Energy Wheeling Agreement for the petitioner's above Wind Energy Generators as per the



Wind Tariff Order No.6 of 2018 dated 13.04.2018 issued by the 4th respondent TNERC.

WEB COPY

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.M.Abdulkalam, for R1 to R3

No appearance for R4

O R D E R

The prayer in the Writ Petition reads as follows:

"To direct the 2nd respondent to grant long term intra state open access approval to the petitioner's Wind Energy Generators WF.HT SC. Nos.54, 93, 94, 95, 295, 297, 365 and 369 on the petitioner's application dated 15.04.2019 and consequently direct the 3rd respondent to renew the Energy Wheeling Agreement for the petitioner's above Wind Energy Generators as per the Wind Tariff Order No.6 of 2018 dated 13.04.2018 issued by the 4th respondent TNERC."

2. The learned counsel for the petitioner has produced the order of this Court made in W.P.No.16104 of 2021 etc., batch, wherein this Court after elaborate consideration of the rival contentions has allowed the writ petitions directing the TANGEDCO to continue to adopt the arrangement of captive adjustment strictly in accordance with the subsisting Energy Wheeling Agreement.

3. The present writ petition being on identical set of facts, orders passed in W.P.No.16104 of 2021 etc., batch would cover this writ petition as well.

4. Hence, the writ petition is disposed of in terms of the orders passed in W.P.No.16104 of 2021 etc., batch dated 27.01.2022 and the respondents are directed to give all benefits to the petitioner as has been provided in the said order. No costs. Consequently, the connected writ miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar



dsa
To

WEB COPY

1. The Chairman & Managing Director
Tamil Nadu Generation and
Distribution Corporation (TANGEDCO) Ltd.,
10th Floor, E.W., N.P.K.R.R.Maligai,
Anna Salai, Chennai 600 002.
2. The Chief Engineer,
Non-Conventional Energy Sources (NCES)
TANGEDCO, 2nd Floor, Eastern Wing,
Anna Salai, Chennai 600 002.
3. The Superintending Engineer (I/C)
Tirunelveli Electricity Distribution Circle,
TANGEDCO, Maharaja Nagar,
Tirunelveli 627 001.
4. The Secretary
Tamil Nadu Electricity Regulatory Commission
No.19A, Rukmini Lakshmipathy Salai,
Egmore, Chennai 600 008.

+1 cc to Mr.R.S.Pandiyaraj, Advocate Sr.NO. 58074

WP.No.18959 of 2019
and WMP 18310 of 2019

sj(CO)
A.SK(06/07/2022)