



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31-01-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.7342 of 2016

And

WMP Nos.6536 and 6537 of 2016

Lotus Clean Power Venture (P) Limited,
No.484, Kamaraj Road,
Coimbatore - 641 015.

...Petitioner

vs.

1. TANGEDCO Represented by its
Chairman and Managing Director,
No.144, Anna Salai,
Chennai - 02.
2. The Chief Financial Controller (Revenue),
TANGEDCO,
144, Anna Salai,
Chennai - 02.
3. The Superintending Engineer,
Tirunelveli Electricity Distribution Circle,
TANGEDCO,
Tirunelveli.

...Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents their men, agents, subordinates etc., to implement the order of the Hon'ble TNERC in DRP No.19 of 2013 dated 19.01.2015 by effecting appropriate priority in adjustment of the REC Wind Units against the respective consumption HT SC No(s) of the petitioners group captive consumers by reversing lapsed Units.

For Petitioner : Mr.Rahul Balaji

For Respondents : Mr.L.Jai Venkatesh,
Standing Counsel for TANGEDCO.



O R D E R

The learned counsel for the petitioner made a submission that the issues raised were decided in favour of the petitioner by the Tamil Nadu Electricity Regulatory Commission, which were upheld by the Appellate Tribunal also.

2. However, the Board took the matter before the Apex Court of India and Civil Appeal No.15618 of 2017 is now pending before the Hon'ble Supreme Court of India. Thus, the issues raised in the present writ petition are subject to the final disposal of the Civil Appeal pending before the Hon'ble Supreme Court of India and the orders to be passed will be extended to the petitioner is also similarly placed. The orders including the interim orders passed by the Hon'ble Supreme Court of India is to be extended to the petitioner.

3. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Chairman and Managing Director,
TANGEDCO, No.144, Anna Salai,
Chennai - 02.
2. The Chief Financial Controller (Revenue),
TANGEDCO, 144, Anna Salai,
Chennai - 02.
3. The Superintending Engineer,
Tirunelveli Electricity Distribution Circle,
TANGEDCO,
Tirunelveli.

+1cc to Mr.R.Parthasarathy, Advocate SR. No.5875

WP No. 7342 of 2016

GPL (CO)

PR (11/02/2022)