



W.P.No.7462 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.7462 of 2023

and

W.M.P.No.7542 of 2023

M/s.A.R.E.M. Green Power Pvt Ltd.,
Represented by its Director, R.Eswaramurthi,
51, Old Damu Nagar, Puliyakulam,
Coimbatore – 641 054.

... 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 Chief Financial Controller (General),
TANGEDCO,
7th Floor, 144, Anna Salai, Chennai – 600 002.
- 4.The Superintending Engineer,
TANGEDCO, Tirunelveli EDC, Tirunelveli.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents for the termination of the PPA (Power Purchase Agreement) in WEG HTSC No.079214722603 dated 01.09.2022 and to execute energy wheeling agreement for Captive Consumption as per the request made by the petitioner.

For Petitioner : Mr.G.Mani Prabhu

For Respondents : Mr.D.R.Arun Kumar
Standing Counsel

ORDER

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, to direct the respondents for the termination of the PPA (Power Purchase Agreement) in WEG HTSC No.079214722603 dated 01.09.2022 and to execute energy wheeling agreement for Captive Consumption as per the request made by the petitioner.

2.The case of the petitioner is that the petitioner is a private limited company having windmill with 1250 KW capacity of Suzlon make, situated in the jurisdiction of the fourth respondent and the same was



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purchased by the petitioner in order to utilize maximum renewable energy. Therefore, the petitioner had given an application for captive consumption along with all the required documents on 23.01.2023 and subsequently, made a representation through e-mail to the second respondent on 28.01.2023 for the change in utility for captive consumption. Since the said representation was not considered by the second respondent, the present writ petition is filed before this Court seeking for appropriate directions.

3.Mr.G.Mani Prabhu, the learned counsel for the petitioner would submit that, this Court may issue direction to the respondents to consider the petitioner's representation dated 23.01.2023 and pass appropriate orders, within a time frame that may be fixed by this Court.

4.Mr.D.R.Arun Kumar, learned Standing Counsel appearing for the respondents would submit that the petitioner's representation dated 23.01.2023 will be considered and appropriate orders will be passed, within the time frame that may be stipulated by this Court.



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5.In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation dated 23.01.2023 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

10.03.2023

Index : Yes / No
Speaking order / Nonspeaking order
Netrual Citation Case : Yes / No
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M.DHANDAPANI, J.

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