



WEB COPY



W.P.Nos.12430 and 12436 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.12430 and 12436 of 2023

Texonic Pvt Ltd.

No.72, Royapettah High Road,
Royapettah, Chennai – 600 014,
Repd by its Director,
Mr.Naveen Bhandarai

... Petitioner in both W.P.s

Vs.

1. Tamilnadu Generation and Distribution
Corporation Ltd, (TANGEDCO),
10th Floor, 144, Anna Salai,
Chennai – 600 002.
Represented by its Chairman
Cum Managing Director.

2. The Chief Engineer, NCES,
TANGEDCO,
2nd Floor,
144, Anna Salai, Chennai – 600 002.

... Respondents in both W.P.s

3. The Superintending Engineer,
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam.

... 3rd respondent in W.P.No.12430 of 2023

4. The Superintending Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.

... 3rd respondent in W.P.No.12436 of 2023



W.P.Nos.12430 and 12436 of 2023

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd and 3rd respondent to effect name transfer of WEG Wind Fan Nos.039204390897 and 079204720735 from M/s.Texonic to the name of the petitioner M/s.Texonic Private Ltd along with utility change from Third party category to group captive scheme as per the petitioner's applications dated 14.02.2023 and 27.01.2023 on payment of necessary charges.

For Petitioner : Mr.R.S.Pandiyaraj
For Respondents : Mr.D.R.Arunkumar
Standing counsel for TNEB

COMMON ORDER

Since the issue involved in the present case is one and the same they are disposed of by way of this common order.

2. It is the case of the petitioner that the petitioner company is engaged in production of wind energy and supply of power to its group captive consumers within the State of Tamil Nadu. Further the petitioner company has invested in windmills coming under the third respondent in respective writ petitions by entering into registered lease agreements with M/s.Texonic lease deeds dated 10.02.2023 and 20.01.2023. Due to the above mentioned business transfers by way of registered sale deeds, the petitioner made applications



W.P.Nos.12430 and 12436 of 2023

dated 14.02.2023 and 27.01.2023 before the respondents 2 and 3 seeking name transfer in WEG Wind Fan Nos.039204390897 and 079204720735 from the erstwhile name M/s.Textonic to the present name of the petitioner as M/s.Textonic Pvt Ltd along with utility change from third party category to group captive scheme. Since the same was not considered, the present writ petitions have been filed.

3. Learned standing counsel appearing for the respondents submitted that if the necessary documents as sought for by the respondents are furnished, the petitioner's applications will be considered and appropriate orders will be passed.

4. In response, learned counsel appearing on behalf of the petitioner submitted that the petitioner is ready to submit the documents as sought for by the respondents.

5. Heard learned counsel appearing on either side and perused the materials placed before this Court.



W.P.Nos.12430 and 12436 of 2023

6. In view of the submission made by the standing counsel appearing for the respondents, this Court without expressing any opinion on the merits of the case, directs the petitioner to send the copies of the representations dated 14.02.2023 and 27.01.2023 along with all the necessary documents sought for by the respondents before the second and third respondents in the respective writ petitions and also a copy of this order within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondents 2 and 3 shall consider the said representations and pass appropriate orders within a period of six (6) weeks thereafter.

7. With the above directions, these Writ Petitions are disposed of. No costs.

27.04.2023

Index : Yes / No

Speaking order / Nonspeaking order

Netrual Citation Case : Yes / No

rap

Note: Issue Order Copy on 28.04.2023



W.P.Nos.12430 and 12436 of 2023

To

WEB COPY

1. Chairman Cum Managing Director
Tamilnadu Generation and Distribution
Corporation Ltd, (TANGEDCO),
10th Floor, 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,
Palladam Electricity Distribution Circle,
Palladam.
4. The Superintending Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.

M.DHANDAPANI, J.



WEB COPY



W.P.Nos.12430 and 12436 of 2023

rap

W.P.Nos.12430 and 12436 of 2023

27.04.2023