



W .P.No.20807 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2023

CORAM : JUSTICE N.SESHASAYEE

W.P.No.20807 of 2023

M/s.Sri Wind Power
Represented by its Proprietor
Srimathy Murugesan
No.40, Kalaimagal School Road
Erode - 638 001.

..... Petitioner

Vs

1.The Chairman cum Managing Director
TANGEDCO
VI Floor, No.144, Anna Salai
Chennai - 600 002.

2.The Chief Engineer / NCES
Tamil Nadu Generation & Distribution
Corporation Ltd.,
No.144, Anna Salai
Chennai - 600 002.

3.The Superintending Engineer
TANGEDCO
Udumalpet Electricity Distribution Circle
Coimbatore District.

.... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents herein to pay the petitioner a sum of Rs.25,24,493.50 being the amount owed by the respondents to the petitioner for supply of energy generated in the windmill WF HT SC No.039204340689 in S.F.No.141/1(P), 2(P) of Myavadi Village, Udumalpet Taluk, Coimbatore District owned by the petitioner for the period from February 2020 to March 2023, together with agreed interest thereon, within the time frame as may be stipulated by this Court.

For Petitioner : Mr.M.Santhanaraman

For Respondents : Mr.L.Jaivenkatesh
Standing Counsel for TNEB

ORDER

The petitioner has laid this case for recovery of the value of energy which it has supplied to TANGEDCO. The petitioner is a generator of wind energy and the energy it generated was supplied to the third respondent, pursuant to the energy purchase agreement dated 31.03.2006. Its claim for the energy supplied to the third respondent from February 2020 to March 2023 is Rs.25,24,493.50.

2.1 Appearing for the respondents, Mr.L.Jaivenkatesh, the learned Standing



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Counsel for TNEB has filed the counter and would submit that on reconciliation of the details provided, it appears the difference in calculation is however very meagre. He also submitted that the periodical payments are being made, and that they have already paid a sum of Rs.4,43,279/-, and that more than half of the claim will be made soon.

2.2 The learned counsel for the respondents made a statement on instruction that the balance amount to be paid as per the calculation is Rs.11,62,441/- + future interest payable on the principal sum, and this will be paid within a period of twelve (12) weeks from today. The said statement is recorded.

3. The writ petition is allowed in terms thereof. No costs.

Index : Yes / No
Speaking order / Non-speaking order
ds

28.08.2023



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N.SESHASAYEE.J.,

ds

To:

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