



W.P.No.30211 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.10.2023

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.30211 of 2023
& WMP.No.29815 of 2023

M/s. Star Plastics,
Represented by its Managing Partner,
Mr.V.Nandakumar
SF No.169/1 Kolathupalayam,
Gangapuram Post, Erode – 638 102.

... Petitioner

Vs

1. Tamil Nadu Generation and Distribution Corporation Limited,
Represented by its Chairman and Managing Director,
144, Anna Salai, Chennai – 600 002.
2. Director Finance,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.
3. The Chief Financial Controller,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.
4. The Superintending Engineer,
TANGEDCO,



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Tirunelveli Electricity Distribution Circle,
Tirunelveli.

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

6. The Superintending Engineer,
TANGEDCO,
Tuticorin Electricity Distribution Circle,
Tuticorin.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent and their men, agents not to collect current consumption charges, demand charges and any arrears from the petitioner until they pay outstanding dues of Rs.3,21,939/- owed to the petitioner towards encashment of 1,17,031 banked units of wind energy as of 31.03.2023 generated by the petitioner's WEGs bearing HTSC Nos.079234724208, 079244700345, 079244700360, 039224391790 and 039224391630 in terms of 5 Energy Wheeling Agreements dated 16.03.2019, 16.08.2016, 30.03.2018, 31.03.2018 and 10.08.2016 entered in to by the petitioner and the 4th, 5th and 6th respondents herein and the judgements of this Hon'ble Court in W.P.6776 of 2020 and batch and W.P.20862 of 2022, payable from the time they fell due, or to give adjustment in the current consumption charges payable by the petitioner at its HTSC Nos.049094260338 and 049094260382 till the amount is adjusted.

For Petitioner : Mr.Rahul Balaji

For Respondents : Ms.Keerthana Sheno



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for Mr.L.Jai Venkatesh
Standing Counsel

ORDER

Ms.Keerthana Shenoi, learned counsel on behalf of Mr.L.Jai Venkatesh, learned Standing Counsel accepts notice for the respondents and is armed with instructions to enable final disposal of this Writ Petition, even at the stage of admission. She would accede to the position that the dues of Rs.3,21,939/- are, in fact, outstanding and payable to the petitioner.

2. In a very similar circumstance as obtaining in the present Writ Petition, this Court had passed an order in W.P.No.20862 of 2022 dated 16.08.2022 directing the respondents adjust the outstanding amount due and payable to the petitioner under Energy Wheeling agreements towards current consumption charges payable/open access charges payable by the petitioner, going forward.

3. In light of the identity of facts in that matter as well as in the present Writ Petition, the same order is taken to be passed in the present Writ Petition as well.

4. Hence, mandamus is issued directing the respondents to adjust the outstanding amount of Rs.3,21,939/- under 5 Energy Wheeling Agreements dated 16.03.2019, 16.08.2016, 30.03.2018, 31.03.2018 and 10.08.2016 towards



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the future current consumption charges/open access charges payable by the
petitioner.

5. This Writ Petition is disposed in the aforesaid terms. No costs.

Connected Miscellaneous Petition is closed.

18.10.2023

Index : Yes / No

Speaking Order

Neutral Citation: Yes

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To

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Dr.ANITA SUMANTH, J.
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