



WEB COPY



W.P.No.4966 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.4966 of 2021

L.Sivalingam

... Petitioner

Vs.

1. The Chief Engineer / Commercial,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
(Technical Branch) Kallakurichi.

2. The Superintending Engineer,
(Operation and Maintenance),
Tamil Nadu Generation and
Distribution Corporation Ltd.
Kallakurichi.

3. The Executive Engineer,
(Operation and Maintenance),
Tamil Nadu Generation and
Distribution Corporation Ltd.
Kallakurichi.

4. The Assistant Executive Engineer,
(Operation and Maintenance)
Tamil Nadu Generation and
Distribution Corporation Ltd.
Kallakurichi.

5. The Chief Engineer (Personal),
Tamil Nadu Generation and



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Distribution Corporation Ltd.
10th Floor, NPKRR Maaligai,
144, Anna Salai, Chennai-60002.

6. The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd.
Villupuram.

7. The Executive Engineer O & M,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Marakkanam Road,
Tindivanam, Villupuram.

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 4th respondent to settle the Export Credit 16588 units as per existing norms and the applicable service connection tariff in favour of the Petitioner for his Solar Electricity Service Connection No. 551 - 012 - 718 for his cinema theatre viz., LENA THEATRE at Kallakurichi Town, Kallkurichi District.

For Petitioner : Mr.T.Dhanasekaran

For Respondents : Mrs.Daniel Mary,
Standing Counsel for TANGEDCO

ORDER

The relief sought for in the present writ petition is to direct the 4th respondent to settle the Export Credit 16588 units as per existing norms



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and the applicable service connection tariff in favour of the Petitioner for his Solar Electricity Service Connection No. 551 - 012 - 718 for his cinema theatre viz., LENA THEATRE at Kallakurichi Town, Kallkurichi District.

2. With reference to the relief, the counter filed by the respondents 2 and 3 would reveal that the petitioner should be aware that the Electricity Board is bound by the provisions of the Electricity Act, 2003, the Tamil Nadu Distribution Code, 2004, and the Tamil Nadu Electricity Supply Board 2004, and various orders of the TNERC from time to time being the applicable laws in respect of electricity in the matter of granting service connections.

3. The petitioner clearly stated in his letter dated 24.11.2020 that “The agreement was made in export credit unit will be lapsed after a period of one year”. Thus, the petitioner is aware of the period of agreement and further CE/Comml order dated 7.202014 clearly mentions as follows:

“The settlement period for final settlement of net-metered energy shall be 12 months. The settlement period in respect of 'even cycle' consumer and generator is during



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the period of August – June (6 bi-monthly billing/12-monthly billing) as the case may be (i.e., 8, 10, 12, 2, 4 & 6). The settlement period in respect of 'odd cycle' consumer and generator is during the period of September – July (6 bi-monthly billing/12-monthly billing) as the case may be (i.e., 9, 11, 1, 3, 5 & 7)”

4. There is no violation made as per Form – 2, Net - metering connection agreement which was entered into between the petitioner and the respondent. In view of the above facts, the relief as such sought for in the present writ petition cannot be granted.

5. Accordingly, the writ petition stands dismissed. No costs.

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Index : Yes
Speaking Order
Neutral Citation : Yes
(sha)

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