



W.P.No.5467 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.03.2024

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.5467 of 2024
and
WMP.No.6039 of 2024

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.



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

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

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

... 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 for the consumption in HTSC Nos.049094260338 and 049094260382 till the payment or adjustment of the entire outstanding dues of Rs.24,54,517/- payable to the petitioner towards encashment of banked units of wind energy present in the Petitioner's banking account as of 31.07.2023 generated by the Petitioner's WEGs bearing HTSC Nos.079234724208, 039244391790 and 039244391630 is either repaid or adjusted by 4th and 5th Respondents herein against the Petitioner's consumption, in terms of 3 Energy Wheeling Agreements dated 10.08.2016, 16.08.2016 and 16.03.2019 entered into by the Petitioner and also based on the judgement of this Hon'ble Court dated 28.10.2021 in W.P.6776 of 2018 batch.

For Petitioner : Mr.Pranav Devaraj



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for Mr.Rahul Balaji

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For Respondents : Mr.D.R.Arunkumar
Standing Counsel

ORDER

Mr.D.R.Arunkumar, 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.

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.To be noted that a dispute has been raised in regard to the amount claimed relating to Palladam Electricity Distribution Circle, which, instead of Rs.16,77,267/- is an amount of Rs.16,72,492/- to which the petitioner accedes. Thus the sum total of the two components [Rs.7,77,250/- relating to Tirunelveli



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Electricity Distribution Circle and Rs.16,72,492/- relating to Palladam

Electricity Distribution Circle] amounts to Rs.24,49,742/-.

5.Hence, mandamus is issued directing the respondents to adjust the outstanding amount of Rs.24,49,742/- under 3 Energy Wheeling Agreements dated 10.08.2016, 16.08.2016 and 16.03.2019 towards the future current consumption charges/open access charges payable by the petitioner.

6.This Writ Petition is disposed in the aforesaid terms. No costs.
Connected Miscellaneous Petition is closed.

04.03.2024

Index : Yes / No

Speaking Order

Neutral Citation:Yes

vs

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3. The Chief Financial Controller,
Tamil Nadu Generation and Distribution
Corporation Limited,
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Tirunelveli Electricity Distribution Circle,
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Dr.ANITA SUMANTH, J.

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