



WEB COPY



W.P.No.13545 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.13545 of 2020 and
W.M.P.Nos.16791 & 16794 of 2020

Windage Power Company Pvt., Ltd.,
NSL Icon, No.8-2-684/2/A, Plot No.1 to 4,
4th Floor, Road No.12, Banjara Hills,
Hyderabad-500 034
Represented by its Head Power Trading.

... Petitioner

-Vs-

1. The Chairman,
Tamilnadu Generation and Distribution,
Corporation Limited (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 Chief Financial Controller/Revenue,
TANGEDCO, 7th Floor,
No.144, Anna Salai,
Chennai-600 002.



W.P.No.13545 of 2020

WEB COPY

4. The Superintending Engineer,
TANGEDCO,
Udumalpet Electricity Distribution Circle,
Udumalpet.
5. The Superintending Engineer,
TANGEDCO,
Chennai Electricity Distribution Circle/North,
Chennai.
6. Kevin Steel Pvt., Ltd.,
No.86A, Kamatchi Nagar Main Road,
Kamatchi Nagar, Valasaravakkam,
Chennai-600 087.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 4th respondent's impugned Letter dated 10.08.2020 bearing reference Lr.SE/UEDC/UDT/DFC/AO/Wind/AS/Asst./F/BOABAudit/D.No.494/2020 and quash the same as illegal, arbitrary, without authority of law, against the circular Memo dated 19.07.2016 issued by the 2nd Respondent under the order of the 1st Respondent/Chairman, TANGEDCO and consequently direct the Respondents to strictly adhere to the Circular Memo dated 19.07.2016 issued by the 2nd respondent under the order of the 1st Respondent/Chairman, TANGEDCO and not make demands contrary thereto for the period of its applicability.



W.P.No.13545 of 2020

WEB COPY

For Petitioner : Mr.Rahul Balaji

For Respondents 1 to 5 : Mr.D.R.Arun Kumar

ORDER

This writ petition has been filed challenging the impugned Letter dated 10.08.2020 bearing reference Lr.SE /UEDC /UDT /DFC /AO/Wind/AS /Asst./F/BOABAudit/D.No.494/2020 and quash the same as illegal, arbitrary, without authority of law, against the circular Memo dated 19.07.2016 issued by the 2nd Respondent under the order of the 1st Respondent/Chairman, TANGEDCO and consequently direct the Respondents to strictly adhere to the Circular Memo dated 19.07.2016 issued by the 2nd respondent under the order of the 1st Respondent/Chairman, TANGEDCO and not make demands contrary thereto for the period of its applicability.

2. Heard the learned counsel on either side and perused the materials available on record.



W.P.No.13545 of 2020

WEB COPY

3. This Court had already dealt with a similar issue in WP.Nos.8634 of 2019 etc., batch cases and this Court by an order dated 17.08.2021, allowed all the writ petitions.

4. Hence, this court directed that if any payments made by the petitioner in pursuant to the impugned order it is liable to be reimbursed or adjusted to undue bills.

5. Therefore, in the light of the order passed by this Court in WP.Nos.8634 of 2019 etc., batch cases dated 17.08.2021, this writ petition is allowed. Consequently, connected Miscellaneous petitions are closed. There shall be no order as to costs.

03.04.2024

Index:Yes/No
Speaking/Non-Speaking Order
Neutral Citation/Yes/No
gvn



W.P.No.13545 of 2020

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WEB COPY



W.P.No.13545 of 2020

G.K.ILANTHIRAIYAN, J.

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W.P.No.13545 of 2020

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