



WEB COPY



W.P.No.29127 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.29127 of 2024
and W.M.P.No.31803 of 2024

The Metal Powder Company Limited,
Represented by its Chief Executive Officer,
Mr.A.Kasirajan,
Survey No.89,
Maravankulam,
Tirumangalam-625 706.

... Petitioner

Vs.

- 1.The Tamil Nadu Generation and
Distribution Corporation Limited,
Represented by its Chairman & Managing Director,
144, Anna Salai,
Chennai – 600 002.
- 2.Director Finance,
The Tamil Nadu Generation and
Distribution Corporation Ltd (TANGEDCO),
144, Anna Salai,
Chennai – 600 002.
- 3.The Chief Financial Controller,
The Tamil Nadu Generation and
Distribution Corporation Limited,
144, Anna Salai,
Chennai – 600 002.



W.P.No.29127 of 2024

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

5.The Superintending Engineer,
Kanyakumari Electricity Distribution Circle,
Kanyakumari.

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

7.The Superintending Engineer,
TANGEDCO,
Dindigul Electricity Distribution Circle,
Dindigul.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents and their men, agents not to collect current consumption charges, demand charges, and any arrears from the petitioner for the consumption in HTSC Nos.059094520020, 059094520208 and 059094520221 connected to the 6th respondent and HTSC No.059094500028 connected to the seventh respondent, till the payment of entire outstanding dues of Rs.37,14,871/- payable to the petitioner towards the sale of surplus units of wind energy generated by the petitioner's WEGs connected to the 4th and 5th respondents, until the said amount is either paid or adjusted in full by the respondents herein.

For Petitioner : Mr.Rahul Balaji

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel



W.P.No.29127 of 2024

ORDER

WEB COPY

This Writ Petition has been filed to direct the respondents and their men, agents not to collect current consumption charges, demand charges, and any arrears from the petitioner for the consumption in HTSC Nos.059094520020, 059094520208 and 059094520221 connected to the 6th respondent and HTSC No.059094500028 connected to the seventh respondent, till the entire outstanding dues of Rs.37,14,871/- are payable to the petitioner towards sale of surplus units of wind energy generated by the petitioner's WEGs connected to the 4th and 5th respondents, until the said amount is either paid or adjusted in full by the respondents herein.

2. Mr.L.Jai Venkatesh, learned Standing Counsel, accepts notice on behalf of the respondents. In view of the consent expressed by the learned counsel appearing for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that, the petitioner is having High Tension Electricity Supply in HTSC Nos.059094520020, 059094520208 and 059094520221 connected to the 6th respondent and HTSC



W.P.No.29127 of 2024

No.059094500028 connected to the seventh respondent and producing electricity and exporting the same to the respondents-TANGEDCO as per the Energy Wheeling Agreement (EWA) executed between the respondents and the petitioner. Despite the failure of the respondents to clear the dues of Rs.37,14,871/- towards sale of surplus units of wind energy generated by the petitioner's WEGs connected to the 4th and 5th respondents, the respondents continue to issue monthly CC bills against the petitioner's consumption, which caused irreparable damage and burden to the petitioner Company. Therefore, the present writ petition is filed before this Court.

4. Learned counsel for the petitioner submitted that the TANGEDCO has consumed energy from the petitioner and the petitioner has also consumed energy from the TANGEDCO, however, without paying the huge due amount payable to the petitioner, the respondents-TANGEDCO demanded current consumption charges from the petitioner, which is unsustainable. Accordingly, he prays for appropriate orders.

5. Learned Standing Counsel appearing for the respondents submitted that the current consumption charges payable by the petitioner will be adjusted with the dues payable by the TANGEDCO to the petitioner.



W.P.No.29127 of 2024

WEB COPY 6. Recording the submission made by the learned Standing Counsel

appearing for the respondents, this Writ Petition is closed. No costs.

Connected miscellaneous petition is closed.

01.10.2024
(1/2)

Index : Yes / No
Speaking order / Nonspeaking order
Netrual Citation Case : Yes / No
ssb

To

1.The Tamil Nadu Generation and
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Represented by its Chairman & Managing Director,
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Chennai – 600 002.

2.Director Finance,
The Tamil Nadu Generation and
Distribution Corporation Ltd (TANGEDCO),
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Tirunelveli.

WEB COPY



W.P.No.29127 of 2024

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WEB COPY



W.P.No.29127 of 2024

M.DHANDAPANI, J.

ssb

W.P.No.29127 of 2024

01.10.2024
(1/2)