



WEB COPY



W.P.No.34892 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.34892 of 2023

and

W.M.P.Nos.140 & 145 of 2024 and
34884, 34885 & 34886 of 2023

Tamil Nadu Generation and Distribution Corporation Limited,
Rep By Chief Financial Controller / Regulatory Cell,
7th Floor, NPKRR Maaligai,
No.144, Anna Salai,
Chennai- 600 002.

... Petitioner

Vs.

1. The Ministry Of Power,
Rep. by its Secretary,
Union Of India,
Shram Shakti Bhawan,
Rafi Marg, New Delhi-110 001.

2. Power Grid Corporation Of India Limited,
Rep. by its Chief General Manager,
“Saudamani”, Plot No.2, Sector-29,
Gurgaon-122 001.

3. Central Transmission Utility Of India Ltd.,
Rep. by Its Chief General Manager (Commercial),
“Saudamani”, Plot No.2, Sector-29,
Gurgaon-122 001.

4. The Southern Regional Load Dispatch Centre,
Rep. by its Executive Director,
No.29, Race Course Cross Road, Bangalore- 560 009.



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5. The Chief General Manager,
P.F.C. Consulting Limited,
9th Floor, A Wing Statesman House,
Barakhamba Lane, Connaught Place,
New Delhi- 110 001, India.

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorari, calling for the records pertaining to the impugned invoices Nos. 94201085, 94103132, 94103230 and 94103427 dated 17.04.2023, 01.06.2023, 03.07.2023 and 01.08.2023 respectively and the impugned notice in Ref No.CTUIL/TANGEDCO/2023 dated 11.12.2023 of the 3rd Respondent and consequential impugned mail communication of the fifth respondent dated 12.12.2023, quash the same.

For Petitioner :Mr.P.Wilson, Senior Counsel for
Mr.D.R.Arun Kumar

For Respondents : Mr.R.Rajesh Vivekananthan,
Deputy Solicitor General of India,
(for R1);

Mr.A.R.L.Sundaresan, Senior Counsel,
assisted by M/s.Aiyar and Dolia for
Mr.V.Kalyana Raman and
Ms.Swapna (for R2);

Ms.Varsha (for R3);

R4-Not ready in Notice;

No Appearance (for R5).



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ORDER

The learned senior counsel Mr.P.Wilson, appearing on behalf of writ petitioner, would submit that the writ petition has been instituted challenging 4 invoices.

2. The writ petitioner approached APTEL questioning the old tariff and the matter was remanded to CERC for fresh adjudication. Meanwhile, fresh invoices were issued by the respondents and the writ petitioner has settled the invoice amount to the tune of Rs.791.24 Crores. That being the factum, the cause of filing the present writ petition became vanished and no further adjudication is required.

3. The learned Senior Counsel, Mr.AR.L.Sundaresan, would submit by stating that the respondents are empowered to issue further invoices in respect of the balance amount and interest.

4. There is no impediment for the respondents to issue fresh invoices in accordance with law.



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5. With these observations, the writ petition stands closed.

However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

12.04.2024

Index : Yes

Speaking Order

Neutral Citation : Yes

(sha)



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S.M.SUBRAMANIAM. J.,

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