



WEB COPY



W.P.No.39350 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.39350 of 2024

M/s.Sakthidaranspintex Mills P Ltd

Sf.No 266, Chinthampalayam PO

Rajapalayam,

Tiruchengode Taluk,

Namakkal 637 209

Repd By Its

Authorised Signatory T. Manickavasagam

... Petitioner

vs.

1.Tamilnadu Generation And Distribution
Corporation Limited, (TANGEDCO),

10th Floor, 144 Anan Salai, Chennai 600 002

Represented By Its Chairman Cum Managing Director

2.The Chief Engineer, Nces

Tamil Nadu Green Energy Corporation Limited

Formally TANGEDCO, 7th Floor, 144, Anna Salai Chennai 600 002

3.The Superintending Engineer

TANGEDCO, Tirunelveli Electricity Distribution Circle

Tirunelveli ..Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd and 3rd Respondent to effect name transfer in Petitioners WEG Nos 079204721339 and 079204721421 from the erstwhile M/s. RAN India Steel P ltd to the name of the petitioners name, M/s. Sakthidaran Spintex Mills P Ltd, and



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consequently executive a fresh Energy Wheeling Agreement as per petitioners application dated 26.11.2024 on payment of necessary charges and pass

For Petitioner
For Respondent

: Mr.R.S.Pamdiyaraj
: Mr.D.R.Arun Kumar
Standing Counsel (TNEB)

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2 The petitioner herein seeks a direction to respondents 2 and 3 to effect name transfer in respect of wind mills in WEG No's. 079204721339 and 079204721421 which was purchased by the petitioner from M/s. RAN India Steel Private limited in an open auction conducted under the provisions of SARFAESI Act.

3. The above mentioned wind mill generators coming under the



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jurisdiction of 3rd respondent was originally owned by M/s. RAN India Steel Private Limited. The said company committed a default in payment of dues to its banker. Therefore, proceedings under SARFAESI Act were initiated and the wind energy generators were auctioned in SARFAESI proceedings. The petitioner purchased the wind energy generators in open auction and the sale in favour of the petitioner was confirmed by the Authorised Officer. The sale certificate was issued in the name of petitioner on 26.11.2024 and the same was forwarded to the jurisdictional Sub-Registrar for filing sale certificate under Section 89(4) of Registration Act, 1908. Thereafter, the petitioner submitted an application before the respondents 2 and 3 on 26.11.2024 seeking name transfer and execution of fresh Energy Wheeling Agreement. The said application of the petitioner has not been considered by the respondents 2 and 3. Therefore, petitioner has come before this Court.

4. Mr.D.R.Arun Kumar, learned Standing Counsel (TNEB) takes notice for the respondents.

5. The petitioner purchased the wind energy generators in an open auction conducted under SARFAESI proceedings and sale certificate was



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issued to him in accordance with law and the same was also filed before the concerned jurisdictional Sub-Registrar. The sale certificate issued in favour of the petitioner is a good document of title. Therefore, there may not be any impediment for the 2nd respondent to consider the request of the petitioner for name transfer. Therefore, the respondents 2 and 3 are directed to consider the application submitted by the petitioner dated 26.11.2024 in the light of the sale certificate issued in the name of the petitioner and pass final orders on its' own merits within a period of two weeks from the date of receipt of copy of this order.

6. With the above directions, the Writ Petition stands disposed of. No costs.

21.12.2024

Index:Yes/No
Internet:Yes/No
nr

S.SOUNTHAR, J.

nr



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