



WP NO. 39705 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 27-12-2024**

**CORAM**

**THE HONOURABLE MR JUSTICE V. LAKSHMINARAYANAN**

**WP NO. 39705 of 2024 AND**

**WMP NOs. 43005, 43002 and 43003 OF 2024**

IL&FS Tamil Nadu Power Company Limited,  
4th Floor, Kpr Tower Old No.21, New No.2, 1st Street,  
Subba Rao Avenue, College Road, Chennai 600 006.  
Through Its Chief Financial Officer, Mr. R.Saravanan.

Petitioner

Vs

Chief Engineer  
Private Power Projects,  
Tamil Nadu Generation And Distribution  
Corporation Limited, 6th Floor, Eastern Wing,  
144, Anna Salai Chennai 600 002.

Respondent

**Prayer:** Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus quashing the demand notice vide Lr. No CE /PPP / PP / EE -2 / PP / FII and FS / D900 /2024 dated 21/11/2024 issued by Respondent pertaining to the demand notice dated 21/11/2024 issued by respondent pertaining to the demand notice dated 21/11/2024 for Rs.129, 60,00,000 / raised by the Respondent quash the same and consequently to direct the Respondent restraining not to enforce any kind of coercive action to recover the proposed LD from the Petitioner and restraining Respondent from to taking any coercive action against the Petitioner, including but not limited to restraining the Respondent from making any deduction against the invoices raised pending payments and receivable of the petitioner pertaining to the subject matter subsequently, direct Respondents to consider the petitioners representations and



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submissions regarding the force majeure events and adjudicate the matter through appropriate regulatory mechanisms

For Petitioner : Mr.S.M.Vivekanandh  
For Respondent : Mr.D.R.Arun Kumar

**ORDER**

The writ petitioner has been called upon to pay a sum of Rs.129 Crores pursuant to the impugned order.

2. When the writ petition was taken up for hearing, Mr.D.R.Arun Kumar, learned counsel for the respondent states that as against the impugned order, a statutory appeal lies to the Tamil Nadu Electricity Regulatory Commission.

3. Since there is an alternative remedy, the petitioner is granted four weeks time to prefer an appeal before the said authority. The respondent shall not initiate any coercive steps pursuant to the impugned order for a period of four weeks.

4. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**27-12-2024**

Index : Yes/No  
Internet : Yes/No  
KST



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To

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Chief Engineer  
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**V.LAKSHMINARAYANAN, J.**

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**W.P.No.39705 of 2024**

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