



W.P.(MD) Nos.5718 and 5719 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) Nos.5718 and 5719 of 2015

and

M.P.(MD) Nos.1, 1, 2 and 2 of 2015

W.P.(MD) No.5718 of 2015:

M/s.Aruna Alloy Steels (P) Ltd.,
HTSC No.114,
C.No.3/1, Melur Road,
Ulaganeri Village, Madurai-625 007,
Rep., by its Deputy General Manager,
Mr.V.Kannan

.. Petitioner

Vs.

- 1.TANGEDCO,
Rep., by its Chairman & Managing Director,
No.144, Anna Salai,
Chennai-02.
- 2.The Chief Financial Controller (Revenue),
TANGEDCO,
144, Anna Salai,
Chennai-02.
- 3.The Superintending Engineer,
Madurai Electricity Distribution Circle/Metro,
TANGEDCO, Madurai.



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

5.The Superintending Engineer,
Theni Electricity Distribution Circle,
TANGEDCO, Theni.

6.The Accounts Officer/Revenue,
Madurai Electricity Distribution Circle,
TANGEDCO, Madurai.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the third respondent as far as the issuance of the impugned CC Bill No.059094630114 dated 01.04.2015 in so far as the levy of Rs.15,39,468/- towards energy charges under Serial No.1. 'Industrial Consumption' is concerned, quash the same as illegal, arbitrary, without the authority of law and against the orders of the TNERC in DRP No.19 of 2013 dated 19.01.2015 and consequently direct the third respondent to give adjustment of the available wind energy of 264337 units generated through the petitioner's WEG during the months of June and July/2014 against the petitioner's future Current Consumption bills.

W.P.(MD) No.5719 of 2015:

M/s.Aruna Alloy Steels (P) Ltd.,
HTSC No.120,
Super B3 & B6, Industrial Estate,
K.Pudur, Madurai-625 107,



W.P.(MD) Nos.5718 and 5719 of 2015

Rep., by its Deputy General Manager,
Mr.V.Kannan

.. Petitioner

Vs.

- 1.TANGEDCO,
Rep., by its Chairman & Managing Director,
No.144, Anna Salai, Chennai-02.
- 2.The Chief Financial Controller (Revenue),
TANGEDCO,
144, Anna Salai, Chennai-02.
- 3.The Superintending Engineer,
Madurai Electricity Distribution Circle/Metro,
TANGEDCO, Madurai.
- 4.The Superintending Engineer,
Tirunelveli Electricity Distribution Circle,
TANGEDCO, Tirunelveli.
- 5.The Superintending Engineer,
Theni Electricity Distribution Circle,
TANGEDCO, Theni.
- 6.The Accounts Officer/Revenue,
Madurai Electricity Distribution Circle,
TANGEDCO, Madurai.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the third respondent as far as the issuance of the impugned CC Bill No.059094630120 dated 01.04.2015 in so far as the levy of Rs.7,70,420/- towards energy charges under Serial No.1. 'Industrial



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Consumption' is concerned, quash the same as illegal, arbitrary, without the authority of law and against the orders of the TNERC in DRP No.19 of 2013 dated 19.01.2015 and consequently direct the third respondent to give adjustment of the available wind energy of 171895 units generated through the petitioner's WEG during the months of June and July/2014 against the petitioner's future Current Consumption bills.

In both W.Ps.

For Petitioner : Mr.S.P.Parthasarathy

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

COMMON ORDER

In view of the subsequent events, which had culminated into an order passed by the Tamil Nadu Electricity Regulatory Commission, a circular had been issued on 25.04.2023 by the Chief Financial Controller/Revenue, the second respondent herein to implement the above order for all REC wind energy captive users that the wind energy generated by the windmills covered under REC scheme shall be adjusted first by the TANGEDCO with effect from 01.08.2012 thereby revise/raise the current consumption charges for the relevant period as per the order immediately.



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2. These writ petitions are filed challenging the bills and for a consequential direction to give adjustment of the available wind energy of 264337 units and 171895 units respectively generated through the petitioners' WEG during the months of June and July/2014.

3. In view of the aforesaid Circular, dated 25.04.2023, the petitioners' bills shall be revised by the third respondent herein within a period of eight weeks from the date of receipt of a copy of this order.

4. With the aforesaid direction, these Writ Petitions stand disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

20.11.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes

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To

- 1.The Chairman & Managing Director,
TANGEDCO,
No.144, Anna Salai,
Chennai-02.
- 2.The Chief Financial Controller (Revenue),
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144, Anna Salai,
Chennai-02.
- 3.The Superintending Engineer,
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TANGEDCO, Madurai.
- 4.The Superintending Engineer,
Tirunelveli Electricity Distribution Circle,
TANGEDCO, Tirunelveli.
- 5.The Superintending Engineer,
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TANGEDCO, Theni.
- 6.The Accounts Officer/Revenue,
Madurai Electricity Distribution Circle,
TANGEDCO, Madurai.



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K.KUMARESH BABU, J.

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Dated: 20.11.2024