



W.P.(MD).No.3380 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD).No.3380 of 2017

and

W.M.P.(MD)No.2746 of 2017

M/s.Kumaran Filaments Private Limited,
Represented by its Managing Director,
K.Ganesan

...Petitioner

Vs

1.The Chief Engineer/NCES,
2nd Floor, NPKRR Maaligai,
Eastern Wing,
No.800, Anna Salai,
Chennai – 600 002.

2.The Superintending Engineer,
(Tamil Nadu Generation & Distribution
Corporation Limited, (TANGEDCO)
Tirunelveli Electricity Distribution Circle,
Tirunelveli – 627 011.

3.M/s.Sri Devi Oil Private Limited,
SF No.279/6, Villipalayam,
Paramathi Velur Taluk,
Namakkal – 637 206.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus, to



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call for the impugned order dated 17.11.2016 under Lt.No. SE/TEDC/DFC/AO/REV/AS/Wind/F.BOAB Audi+/D.No.3282/16 as served in the name of third respondent namely M/s.Sri Devi Oil Private Limited to the petitioner namely M/s.Kumaran Filament Private Limited demanding for the payment of Rs.17,54,834/- (Rupees Seventeen Lakh Fifty Four Thousand Eight Hundred and Thirty Four Only) due and payable by the third respondent to the second respondent as per the audit objection for the period from 2012-2013 under the caption of payment of lapsed energy and quash the same as illegal, erroneous and devoid of merits and consequently forbearing the second respondent from including the same in the next generation statement in respect of the Wind Energy Generator HT.SC.No.2164 of Tirunelveli Energy Distribution Circle belonging to the petitioner forthwith.

For Petitioner : Mr.S.Palani Velayutham

For R-1 and R-2 : Mr.S.Deenadhayalan
Standing Counsel

ORDER

Heard Mr.S.Palani Velayutham, learned counsel for the petitioner and Mr.S.Deenadhayalan, learned Standing Counsel for the respondents 1 and 2.



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2. The Writ Petition has been filed challenging the order dated 17.11.2016 as served in the name of third respondent namely M/s.Sri Devi Oil Private Limited to the petitioner namely M/s.Kumaran Filament Private Limited demanding for the payment of Rs.17,54,834/- (Rupees Seventeen Lakh Fifty Four Thousand Eight Hundred and Thirty Four Only) due and payable by the third respondent to the second respondent as per the audit objection for the period from 2012-2013 under the caption of payment of lapsed energy and to consequently forbearing the second respondent from including the same in the next generation statement in respect of the Wind Energy Generator HT.SC.No.2164 of Tirunelveli Energy Distribution Circle belonging to the petitioner forthwith.

3. When the matter was taken up for hearing, the learned Standing Counsel for the respondents 1 and 2 submitted that the demand has been made based upon the audit slip dated 04.08.2015. The same audit slip has been withdrawn by the office of the Deputy Chief Internal Audit Officer vide its communication dated 23.10.2024.



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4. Recording the same, no further adjudication is required to be made in this Writ Petition. Accordingly, the Writ Petition stands closed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

28.11.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

- 1.The Chief Engineer/NCES,
2nd Floor, NPKRR Maaligai,
Eastern Wing,
No.800, Anna Salai,
Chennai – 600 002.
- 2.The Superintending Engineer,
(Tamil Nadu Generation & Distribution
Corporation Limited, (TANGEDCO)
Tirunelveli Electricity Distribution Circle,
Tirunelveli – 627 011.



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Nsr

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