



WEB COPY

WP No. 8124 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 06-11-2025**

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**THE HONOURABLE MR JUSTICE M.DHANDAPANI**

**WP No. 8124 of 2024**

M/s.Carbonaire Industries Madras P Ltd  
Solar Plant No 079414620009,  
No 207 (old No 129) St.Mary's Road  
Alwarpet, Chennai 600 018 Repd by its  
Director Mr. Anandkathare

Petitioner(s)

Vs

1. Tamilnadu Generation and  
Distribution Corporation Limited  
(TANGEDCO), 10<sup>th</sup> Floor, 144,  
Anna Salai, Chennai - 600 002

2.The Chief Engineer,  
TANGEDCO, 2<sup>nd</sup> Floor, 144,  
Anna Salai, Chennai - 600 002.

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

Respondent(s)

**PRAYER**

This Writ Petition has been filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the 2<sup>nd</sup> and 3<sup>rd</sup> Respondent to effect name transfer in Petitioner's WEG Nos. 079214722269 from the erstwhile M/s. Akash Agarwal Engineers and Contractors to the name of the petitioner's name M/s. Carbonaire Industries (Madras) P Ltd along with utility change form sale to board to own captive consumption in their industry bearing HTSC No.



099094110417 and 099094110722 by executing a fresh Energy wheeling Agreement as per petitioner's application dated 26.06.2023 and consequential representation dated 05.01.2024 on payment of necessary charges

For Petitioner(s): Mr.M.Saravanakumar

For Respondent(s): Mr.D.K.Arun Kumar,  
Standing Counsel

### **ORDER**

This writ petition is filed seeking to direct the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents to effect name transfer in Petitioner's WEG Nos. 079214722269 from the erstwhile M/s. Akash Agarwal Engineers and Contractors to the name of the petitioner's name M/s. Carbonaire Industries (Madras) P Ltd along with utility change form sale to board to own captive consumption in their industry bearing HTSC No. 099094110417 and 099094110722 by executing a fresh Energy wheeling Agreement as per petitioner's application dated 26.06.2023 and consequential representation dated 05.01.2024 on payment of necessary charges

2.The case of the petitioner is that the petitioner company owns and operates WEG No.079414620009 situated at Tirunelveli under the jurisdiction of the 3<sup>rd</sup> Respondent. The Energy generated by the wind mill of the petitioner company sold to the respondent. TANGEDCO by executing an Energy Purchase Agreement (EPA) dated 10.05.2023 as per Tariff notified by the State Commission, through its Comprehensive Wind Energy Tariff orders. In terms of



the Agreement the petitioner is raising monthly invoices for the energy sold to the Respondent TANGEDCO and till this date the Respondent TANGEDCO has not settled the payment and even for the delayed payment the petitioner has not claimed any interest.

3.While so, on 26.06.2023, the petitioner has made an application to the 2<sup>nd</sup> Respondent to convert the existing energy purchase agreement (EPA) to an Energy Wheeling Agreement(EPA) for supplying their wing energy generated to other consumers under Group Captive or third party sale scheme provided under the provisions of the Electricity Act, 2003. Thereafter, based on the petitioner's application dated 26.06.2023, the 2<sup>nd</sup> Respondent vide communication dated has sought for NOC/recommendation from the 3<sup>rd</sup> Respondent for processing the utility change from the board to own group captive. The 3<sup>rd</sup> Respondent has issued no due certificate on 06.06.2023. Now the 2<sup>nd</sup> Respondent direct the petitioner to pay necessary charges for effecting utility change from sale to Board to Group. The petitioner is ready to make payment towards open access registration fees and name transfer fees. However, the 2<sup>nd</sup> and 3<sup>rd</sup> Respondent has kept the petitioner's application pending.

4.The petitioner has now filed this petition for directing the respondents 2 and 3 to effect name transfer in Petitioner's WEG Nos.079214722269 from the erstwhile M/s.Akash Agarwal Engineers and Contractors to the name of the



Petitioner's name M/s. Corbonaire Industries (Madras) P Ltd along with utility change form sale to board to own captive consumption in their industry bearing HTSC No. 099094110417 & 099094110722 by executing a fresh Energy Wheeling Agreement as per Petitioner's application dated 26.06.2023 and consequential representation dated 05.01.2024 on payment of necessary charges.

5. The learned counsel for the petitioner would now submit that the name transfer was effected by the respondent, however, utility change form sale to board to own captive consumption is yet to be effected. Hence, a direction be issued to the respondents to effect utility change form sale to board to own captive consumption, without reference to BP 44 of 2023 dated 01.08.2023, by considering Petitioner's application dated 26.06.2023 and consequential representation dated 05.01.2024.

6. The learned Standing Counsel for the respondents would submit that appropriate orders will be passed on the representation of the petitioner within a period of time as fixed by this Court.

7. Accordingly, the writ petition is disposed of by issuing a direction to the respondents to consider the Petitioner's application dated 26.06.2023 and consequential representation dated 05.01.2024, and to pass appropriate orders,



within a period of four weeks from the date of receipt of a copy of this order, in accordance with law, without reference to BP 44 of 2023, after providing an opportunity of hearing to the petitioner. No costs.

**06-11-2025**

Tsg

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

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**M.DHANDAPANI J.**  
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