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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.12529 of 2025

SARAVANA POLYTHREADS(P) LTD,
REPRESENTED BY THE EXECUTIVE DIRECTOR,
MR.K.M.THIRUVENKATASUBRAMANIAM,
NO.128, SINGIRIPALAYAM,
PRIVU A KODIVERI POST,
GOBICHETTIPALAYAM TALUK,
ERODE-638 454. ... Petitioner

Vs

1. THE STATE OF TAMILNADU,
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY,
ENERGY DEPARTMENT,
FORT ST.GEORGE,
CHENNAI-600 009.

2. THE CHIEF ENGINEER/NCES,
TNGECL, TAMILNADU GREEN ENERGY CORPORATION LIMITED,
2ND FLOOR, 144, ANNA SALAI,
CHENNAI-600 002. ... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the second respondent to consider the petitioner's application dated 15.03.2025 and pass appropriate orders in the light of the order passed by this Court in W.P.No.8011 of 2025.

For Petitioner : Mr.M.N.Balakrishnan

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For R1 : Dr.S.Suriya
Additional Government Pleader

For R2 : Mr.D.R.Arun Kumar
Standing Counsel (TNEB)

ORDER

This Writ Petition is filed to direct the second respondent to consider the petitioner's application dated 15.03.2025 and to pass appropriate orders in the light of the order passed by this Court in W.P.No.8011 of 2025.

2. When the matter is taken up for admission, the learned Standing Counsel appearing for the second respondent would submit that when a scheme was framed vide G.O.Ms.No.80, dated 22.08.2024, the association challenged the same and there is an interim order. Dehors that, if any individual persons like that of the petitioner voluntarily seeks to come under the scheme, the authorities are willing to consider the same. The impugned order was passed only because there is an interim order in W.P.No.25443, 25444 and 25624 of 2024.

3. I have considered the submissions made on either side.

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4. It can be seen that the certain associations as well as the individual spinning mills approached the Court in the aforesaid Writ Petitions challenging the G.O.Ms.No.80, dated 22.08.2024. The Court had taken into consideration of the individual spinning mills as well as the associations on behalf of the members stating that in respect of them, already, T.N.E.R.C passed an order with reference to the re-powering and framing a different scheme by the Government Order may not be appropriate and therefore, considering the fact that larger issue is pending before the Division Bench, the interim order of stay of the Government Order was granted. Therefore, it would be clear that the interim order would be applicable vis-a-vs the petitioners therein i.e., individual spinning mill or the members of the association as the case may be. When this petitioner is not challenging the Government Order and wants to come within the policy voluntarily, the same shall be considered dehors the order of interim stay that was granted.

5. In view thereof, this Writ Petition is disposed of by directing the second respondent to consider the application of the petitioner in the manner known to law if there is no other impediment and pass orders in accordance with law. The said exercise shall be completed within a period of four weeks

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from the date of receipt of a web-copy of this order without waiting for a certified copy of this order. There shall be no order as to costs.

07.04.2025

Neutral Citation: Yes/No
nsl

To

1. THE ADDITIONAL CHIEF SECRETARY,
ENERGY DEPARTMENT,
FORT ST.GEORGE,
CHENNAI-600 009.

2. THE CHIEF ENGINEER/NCES,
TNGECL, TAMILNADU GREEN ENERGY CORPORATION LIMITED,
2ND FLOOR, 144, ANNA SALAI,
CHENNAI-600 002.

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D.BHARATHA CHAKRAVARTHY, J.

nsl

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