



W.P. No.18443 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

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THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P. No.18443 of 2022

and

W.M.P. No.17790 of 2022

Binaguri Tea Company Pvt. Ltd.,
Represented by its Authorised Signatory,
Mr.Seethraman Jayaraman,
238A, A.J.C. Bose Road, 4th Floor,
Kolkata-700 020.

...Petitioner(s)

vs.

1.Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Represented by its Chairman cum Managing Director,
144, Anna Salai, Chennai-600 002.

2.The Chief Financial Controller,
TANGEDCO, 144, Anna Salai, Chennai-600 002.

3.Director Finance,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai-600 002.

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

...Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,



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praying to issue a Writ of Mandamus directing the respondents to release payment of a sum of Rs.1,65,85,300.94 (Rupees One Crore Sixty Five Lakhs Eighty Five Thousand Three Hundred and Ninety Four paise Only) being the interest due and payable to the petitioner for power supplied from petitioner's Wind Power Generation Projects together with further sums due and payable by the respondent TANGEDCO, as on date of filing of this writ petition at interest of 12% per annum compounded till date of payment for power supplied from petitioner's Wind Power Generation Projects forthwith to the petitioner.

For Petitioner(s) : Mr.Pranav
for Mr.Rahul Balaji

For Respondent(s) : Mr.D.R.Arun Kumar

ORDER

The learned counsel for petitioner would submit that petitioner is a Company engaged in the business of production, manufacture and sale of tea and is also operating Wind Energy Generation Projects. Petitioner Company owns wind power generating projects to the tune of 3.0 MW in the State of Tamil Nadu. While so, petitioner sold the power generated in the unit to the 1st respondent herein for the period from April, 2013 to May, 2020.

2. It is further submitted by the learned counsel for petitioner that interest on delay payment towards the power sold to 1st respondent to tune of Rs.1,65,85,300.94/- (Rupees One Crore Sixty Five Lakhs Eighty Five Thousand

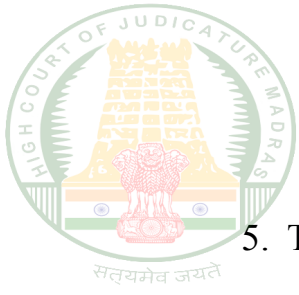


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Three Hundred and Ninety Four Paise) is still pending, which has put the petitioner to severe financial hardship. Aggrieved by the same, petitioner filed a petition before the Tamil Nadu Electricity Regulatory Commission (for brevity “TNERC”) in D.R.P.No.7 of 2014, seeking to direct the respondents to forthwith make payment for the interest due and payable to the petitioner against delayed payments made till 31.03.2013 together with further interest at 12% per annum compounded till date of payment i.e., till 2012-2013, by TANGEDCO.

3. The aforesaid petition was disposed of by TNERC vide order dated 25.02.2020 wherein the matter was settled out of Court based on settlement between the parties. It is further submitted that payments were subsequently made by the respondents in the year 2020, however, the interest on delayed payments from April, 2013 till May, 2020, remains due. Hence, petitioner has filed the present writ petition seeking a direction to the respondents to release payments that are due to the petitioner.

4. In view thereof, the respondents are directed to release the alleged payments that are due to the petitioner within a period of six (6) weeks from the date of receipt of a copy of this order.



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5. The writ petition stands disposed of on the above terms. No costs.

WEB COPY Consequently, connected miscellaneous petition is closed.

08.10.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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M.DHANDAPANI, J.

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