



W.P. Nos.21346 of 2021
and
21358 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 12.11.2025

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. Nos.21346 of 2021 and 21358 of 2021
and

W.M.P. Nos.22589, 22591, 22606 and 22611 of 2021

M/s.ABT Limited
Rep. by its Authorised Signatory
S. Babu

... Petitioner in
both W.P.s

vs.

1. The Tamil Nadu Generation and
Distribution Corporation (TANGEDCO) Ltd.,
Rep. by its Chairman & Managing Director,
10th Floor,
E.W., N.P.K.R.R. Maligai,
Anna Salai,
Chennai – 600 002.

2. The Chief Engineer
Non-Conventional Energy Sources (NCES),
TANGEDCO,
2nd Floor,
Eastern Wing,
Anna Salai,
Chennai – 600 002.

... Respondents in
both W.P.s

3. The Superintending Engineer (I/c)
Tirunelveli Electricity Distribution Circle,
TANGEDCO,
Tirunelveli.



W.P. Nos.21346 of 2021
and
21358 of 2021

WEB COPY

4. Tamil Nadu Electricity Regulatory Commission
Through its Secretary
No.19A, Rukmini Lakshmipathy Salai,
Egmore,
Chennai – 600 008.

3rd and 4th respondents
in W.P. No.21346 of 2021

3. The Superintending Engineer (I/c)
Kanyakumari Electricity Distribution Circle,
TANGEDCO,
Kanyakumari

4. Tamil Nadu Electricity Regulatory Commission
Through its Secretary
No.19A, Rukmini Lakshmipathy Salai,
Egmore,
Chennai – 600 008.

3rd and 4th respondents
in W.P. No.21358 of 2021

Prayer in W.P. No.21346 of 2021: Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the 2nd respondent to grant long term intra state open access approval to the petitioner's Wind Energy Generators WF.HT.SC. Nos.365, 369, 370, 371 on the petitioner's application dated 12.08.2020 to 3rd respondent and 26.08.2020 to the 2nd respondent and consequently direct the 3rd respondent to renew the Energy Wheeling Agreement for the petitioner's Wind Energy Generators as per the Wind Tariff Order No.6 of 2018 dated 13.04.2018 issued by the 4th respondent TNERC and consequently account for all the generated units from 08/2020 of the petitioner WEGs Nos.365, 369, 370, 371 and make adjustment of the same to their third party consumers on payment of necessary charges fixed by the 4th respondent.



W.P. Nos.21346 of 2021
and
21358 of 2021

Prayer in W.P. No.21358 of 2021: Writ Petition filed under Article 226 of the

Constitution of India praying to issue Writ of Mandamus, directing the 2nd respondent to grant long term intra state open access approval to the petitioner's Wind Energy Generators WF.HT.SC. Nos.29, 52, 53, 54, 55, 102, 113, 153, 156, 157 & 188 on the petitioner's application dated 11.01.2021 to 3rd respondent and 18.02.2021 to the 2nd respondent and consequently direct the 3rd respondent to renew the Energy Wheeling Agreement for the petitioner's Wind Energy Generators as per the Wind Tariff Order No.6 of 2018 dated 13.04.2018 issued by the 4th respondent TNERC and consequently account for all the generated units from 04/2021 of the petitioner WEGs Nos.29, 52, 53, 54, 55, 102, 113, 153, 156, 157 & 188 and make adjustment of the same to their third party consumers on payment of necessary charges fixed by the 4th respondent.

In both W.P.s

For petitioner : Mr. R.S. Pandiyaraj

For respondents : Mr.D.R. Arunkumar

COMMON ORDER

Since the issue involved in both these writ petitions is related to one another, these writ petitions are disposed of by way of a common order.

2. Learned Standing Counsel appearing for the respondents submitted that subsequent to interim order issued by this Court on 08.10.2021, the respondents have entered into an agreement with the petitioner on 01.06.2022



W.P. Nos.21346 of 2021
and
21358 of 2021

and 01.09.2022 respectively. Further, he has produced the details of calculation submitted by the respondents for the period from August 2020 to May 2022 and October 2020 to May 2022 in so far as Tirunelveli Distribution Circle and for the period from April 2021 to August 2022 insofar as Kanyakumari Distribution Circle respectively.

3. Acceding the said submission, learned counsel for the petitioner submitted that the wind energy level adjustment for interregnum period is available with the respondents, and this Court may issue directions to the respondents to adjust the same.

4. In response, learned Standing Counsel appearing for the respondents submitted that after due verification, the respondents will adjust the wind energy available in the petitioner's account and therefore, this Court may issue appropriate directions in the above regard.

5. Recording the aforesaid submissions, this Court directs the respondents to adjust the wind energy available in the petitioner's account after making due verification and pass orders on merits and in accordance with law, within a



W.P. Nos.21346 of 2021
and
21358 of 2021

period of eight weeks from the date of receipt of a copy of this order, after

affording an opportunity of hearing to the petitioner.

6. With the above directions, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

12.11.2025

Index:Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
vsi2

To
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Tirunelveli.

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