



WEB COPY

WP No. 21963 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-10-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 21963 of 2023

Tamilnadu Generation And Distribution Corporation Limited,
Rep. By Chief Financial Controller / Regulatory Cell,
7th Floor, Western Wing, Npkrr Maaligai,
No.144 Anna Salai, Chennai-02.

Petitioner(s)

Vs

1. The Ministry of Power
Rep. By Its Director (RCM),
Union of India, Shram Shakti Bhawan,
Rafi Marg, New Delhi-110 001.
2. Central Electricity Regulatory Commission,
Rep. By its Secretary, 4th Floor,
Chanderlok Building, New Delhi-110 001
3. The National Thermal Power Corporation
NTPC Bhawan, Scope Complex,
7 Institutional Area, Lodi Road,
New Delhi-110 003.

Respondent(s)

PRAYER: This writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, Calling for the records of the impugned notification dated 20.04.2023 in Notification No.F.No.23/23/ 2020-R and R/ RCM issued by the 1st respondent quash the same.



For Petitioner(s): Mr.P.S.Raman, SC.
For M/s.D.R.Arun Kumar
For Respondent(s): Mr.AR.L.Sundaresan
for M/s. R. Rajesh Vivekananthan,
Deputy Solicitor General For R1 & R2
Mr.Anand K.Ganesan R3

ORDER

This petition has been filed seeking to quash the impugned notification dated 20.04.2023 under the Scheme for Pooling of Tariff of those plants whose PPAs have expired issued by the Government of India, Ministry of Power which is sought to be implemented w.e.f. 1st July 2023.

2. Mr.P.S.Raman, learned Advocate General appearing for the petitioner submitted that the very same scheme is under challenge before the Delhi High Court in WP(Civil) No.8653 of 2023 and the High Court has granted interim stay for implementation of the subject scheme and the said writ petition is pending. Hence, this Court close the present writ petition as there is no adjudication necessary.

3. Mr.AR.L.Sundaresan, learned Additional Solicitor General appearing for the respondents have not raised any objection in this regard.

4. Heard the learned counsel for both side and perused the materials available on record.



5. In view of the consent view expressed by the learned counsel on either side, this Court directs the respondents not to implement the said scheme as against the petitioner till the disposal of WP(Civil) No.8653 of 2023 and liberty granted to the parties to work out their remedy after disposal of the writ petition or after vacating the interim order.

6. With the above directions, the writ petition is disposed of. No costs.

22-10-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1.The Ministry Of Power

Rep. By Its Director (RCM),

Union Of India, Shram Shakti Bhawan, Rafi
Marg, New Delhi-110 001.

2.Central Electricity Regulatory Commission,

Rep. By Its Secretary, 4th Floor, Chanderlok
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3.The National Thermal Power Corporation

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