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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH**WP No. 30321 of 2023**

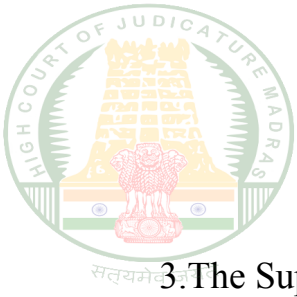
M/s.Morries Energy Ltd.,
(Formerly Known As M/s. Gujarat Gems P Ltd)
WF HTSC No VL-319 (New No.79304723911)
425/A, Raut Industrial Estate,
1st Floor, Behind Johnson & Johnson
Mogul Lane,
Mahim (W) Mumbai - 400 016
Repd by its Director Mrs.Savita Jain

Petitioner(s)

Vs

1.Tamilnadu Generation and Distribution Corporation Limited (TANGEDCO)
10th Floor, 144 Anna Salai,
Chennai 600 002
Represented by its
Chairman Cum Managing Director

2.The Chief Engineer, NCES,
TANGEDCO, 2nd Floor,
144 Anna Salai Chennai 600 002



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

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondents to forthwith make payment of a sum of Rs.67,94,655/- being the sum due and payable towards interest at 12% on delayed payments made by TANGEDCO for power supplied.

For Petitioner(s): Mr.Jayesh B.Dolia
Senior Counsel
for Aiyar and Dolia

For Respondent(s): Mr.P.S.Raman
Advocate General
assisted by
Mr.D.R.Arunkumar
Standing Counsel

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to make payment of Rs.67,94,655/-, being the sum due and payable to the petitioner, along with interest at the rate of 12% on the delayed payments made by TANGEDCO for the power supplied by the petitioner.



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2.Heard Mr.Jayesh B.Dolia, learned Senior Counsel appearing on behalf of the petitioner and Mr.P.S.Raman, learned Advocate General appearing on behalf of respondents.

3.The case of the petitioner is that they entered into a Wind Energy Purchase Agreement with the 3rd respondent for sale of wind energy generated from their Wind Energy Generator Plant. As per tariff orders and applicable terms of the agreement and the various orders passed by the Tribunal, the respondents are liable to pay interest at the rate of 12% per annum for the delayed payments made by them. The specific case of the petitioner is that the respondents are due and payable a sum of Rs.67,94,655/- for the power supplied by the petitioner. Since this payment has not been made and there is delay, they are also entitled for the interest at the rate of 12% per annum. It is under these circumstances, the present writ petition has been filed before this Court.



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4. On carefully considering the submissions made on either side and the materials available on record, it is seen that there is no dispute on the fact that the petitioner has supplied power to respondents and the petitioner is relying upon various bills to substantiate the claim that they are entitled for a sum of Rs.67,94,655/- . Apart from that the petitioner is claiming for 12% interest per annum based on the tariff orders and the applicable terms of the agreement and the various orders passed by the Tribunal in this regard.

5. In view of the above, there shall be a direction to respondents to settle the entire amount due and payable to the petitioner along with interest at the rate of 12% per annum on the delayed payment, after verifying the bills submitted by the petitioner, within a period of six weeks from the date of receipt of copy of this order.



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6.This writ petition is disposed of with the above directions. No Costs.

05-08-2025

(2/3)

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssr



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To

1. Tamilnadu Generation and Distribution Corporation Limited (TANGEDCO)

10th Floor, 144 Anna Salai,

Chennai 600 002

Represented by its

Chairman Cum Managing Director

2. The Chief Engineer, NCES,

TANGEDCO, 2nd Floor,

144 Anna Salai Chennai 600 002

3. The Superintending Engineer

TANGEDCO,

Coimbatore Electricity Distribution Circle,

Coimbatore.



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N.ANAND VENKATESH J.

SSR

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