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W.P.No.7797 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :05.03.2025

Coram:

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.7797 of 2025

Mr.P.I.Mohammed Kutty @ Mammootty
S/o P.Ismail
H.No.G222, KC Joseph Road, 8th Cross,
Panampilly Nagar, Ernakulam,
Kerala 682 036.

.. Petitioner

/versus/

1.Tamil Nadu Electricity Regulatory,
Commission rep.by its Secretary,
19-A Rukmini lakshmipathy Salai,
(Marshall's Road),
Egmore, Chennai 600 008.

2.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai 600 002.

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



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

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 3rd and 4th respondent to forthwith make payment of Rs.99,41,104/- which is due and payable for the Wind Energy generated and supplied by the petitioner to the respondent TANGEDCO for the period from December /2021 to November /2024 and further direct the respondent to pay interest at 1% per month for the delay in settlement of the respective invoices beyond its due date till the date of actual payment.

For Petitioner :Mr.S.P.Parthasarathy

For Respondents :Mr.D.R.Arunkumar (TANGEDCO)

ORDER

The petitioner demands payment of the value of the energy, it has supplied to TANGEDCO.

2. Mr.D.P.Arunkumar, learned counsel takes notice for TANGEDCO and submits that he has to verify about the particulars invoking the nature of the orders, that is passed. The Writ Petition is disposed of at the admission stage.

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3. It can be seen that the issue involved in the writ petition is no longer *res integra* as earlier, several orders have been passed. One such order was passed in W.P.No.274 of 2024 dated 05.01.2024 and it is essential to extract paragraph Nos.2 to 5 of the said order.

“2.Both learned counsel would submit that the issue involved in this Writ petition viz., adjustment of the amount outstanding towards the wind energy generated and supplied by the petitioner to the Tangedco, is covered by an order passed by this Court dated 07.09.2023 in W.P.No.24540 of 2023, wherein the following order has been passed:-

“The petitioner demands payment of value of the energy it has supplied to TANGEDCO. Mr.L.Jaivenkatesh, learned standing counsel takes notice for TANGEDCO and makes a statement that the petitioner ought to have uploaded its invoices in Praapti Portal, which is the official portal launched by the Ministry of Power, Government of India. The petitioners are now only required to upload all those invoices in the Praapti Portal.

2.Praapti Portal only ensures transparency in payment, but it does not ensure payment of admitted claims. This Court, therefore, directs TANGEDCO to pay all its admitted liability now to the



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tune of Rs.26,06,443/- within a period of four months from the date of receipt of a copy of this order.

3. Learned Standing Counsel for the respondents would acquiesce to the position that the amount of Rs.1,80,19,565/- as quantified by the petitioner is, indeed, arrears due to the petitioner.

4. In light of the aforesaid, TANGEDCO is directed to pay all its admitted liability to the tune of Rs.1,80,19,565/- within a period of four (4) months from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of in the above terms. No costs.”

4. In view thereof, this Writ Petition is disposed of on the following terms.

(1)The respondents are directed to disburse the amount of Rs.99,41,104/- which is due and payable to the petitioner within a period of four months from the date of receipt of a web copy of the order, without waiting for the certified copy of the order.



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(2) It is made clear that since the writ petition is disposed of at the admission stage, if there is any dispute regarding the amount, the admitted amount shall be disbursed and for the balance amount an opportunity of being heard shall be given to the petitioner. No costs.

05.03.2025

Index:no
Internet:yes/no
Speaking Order
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To:

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D.BHARATHA CHAKRAVARTHY,J.
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