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W.P.Nos.38827 & 32455 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.Nos.38827 & 32455 of 2025
& WMP.Nos.43448, 43453, 36375 & 36377 of 2025**

1.KPR Mill Limited,
Rep by its Authorised Signatory, Nachimuthu R
Having Registered Office at,
No.9, Gokul Buildings, A.K.S.Nagar,
Thadagam Road, Coimbatore – 641 001.

2.KPR Sugar Mill Limited,
Represented by its Authorised Signatory, Nachimuthu R
Havng Registered Office at,
No.5, A.K.S.Nagar,
Thagadam Road, Coimbatore – 641 001.

3.KPR Sugar and Apparels Limited,
Represented by its Authorised Signatory, Nachimuthu R
Having Registered Office at,
No.5, A.K.S.Nagar,
Thagadam Road, Coimbatore – 641 001.

... Petitioners
in both WPs

Vs.

1.Tamil Nadu Power Distribution Corporation
Limited (TNPDCCL)
represented by its Chairman and Managing Director,
NPKRR Maaligai,



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144, Anna Salai,
Chennai – 600 002.

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2. Tamil Nadu Green Energy Corporation
Limited (TNGEGL),
NPKRR Maaligai,
144, Anna Salai,
Chennai – 600 002.

3. Tamil Nadu Transmission Corporation
Limited (TANTRANSCO)
NPKRR Maaligai,
144, Anna Salai,
Chennai – 600 002.

4. The State Load Despatch Centre,
C/o TANTRANSCO
Rep. By its Director,
No.144, Anna Salai,
Chennai – 600 002.

5. The Superintending Engineer,
Commercial Operation/SDLC,
3rd Floor, TANTRANSCO Building,
144, Anna Salai, Chennai – 600 002.

... Respondents
in both WPs

PRAYER in WP/38827/2025 : Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to process and grant any and all of the Petitioners' applications for inter-State open access for wheeling power from the bagasse-based co-generation power plants operated by the 2nd and 3rd



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Petitioners in Karnataka to the 1st Petitioner's manufacturing units in Tamil Nadu, strictly in accordance with and within the regulatory timeline prescribed under the CERC (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022, and collect the necessary charges in accordance with law and continue to process and approve all further and future applications by the petitioners for open access when such applications adhere to the satisfactory framework.

PRAYER in WP/32455/2025 : Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to process and grant the petitioner's application dated 19.08.2025 for inter-State open access for wheeling power from the bagasse-based co-generation power plants operated by the 2nd and 3rd Petitioners in Karnataka to the 1st Petitioner's manufacturing units in Tamil Nadu, strictly in accordance with and within the regulatory timeline prescribed under the CERC (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022, and collect the necessary charges in accordance with law and continue to process and approve all further applications by the petitioners for open access when such applications adhere to the statutory framework.

IN BOTH Wps;

For Petitioners : Mr.Rahul Balaji
For Respondents : Mr.D.R.Arun Kumar



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COMMON ORDER

These writ petitions have been filed seeking for a direction upon the respondents to process and grant applications filed by the petitioners for inter state open access for wheeling power from the bagasse based co-generation power plants operated by petitioners 2 and 3 in Karnataka to the first petitioner's units in Tamil Nadu.

2. According to the petitioners, they are operating bagasse based co-generation power plant in Karnataka and a network of textile manufacturing unit in Tamil Nadu. The petitioners' business model is required to rely on capturing power generation to meet a significant portion of their electricity requirements.

3. The petitioners' grievance is refusal of the respondents to accord approval the petitioners' scheduling request for interstate open access and consequential refusal to adjust the wheeled power in the petitioners' HTSC Bills. According to the petitioners, this approval and consequent adjustment



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is essential to allow the petitioners to wheel surplus captive power from their Karnataka plants to their manufacturing units in Tamil Nadu.

4. The respondents act of refusing to account for the wheeled power in the petitioners' HTSC bills not only obstructs the petitioners' statutory right to open access but also reveals a systemic conflict of interest.

5. According to the petitioners, the distribution licensee, TNPDC, directly benefits from this delay as it forces the petitioners to purchase more expensive power from the state grid, thus ensuring its own revenue streams remain unaffected. The respondents are only attempting to create an artificial delay to stop the petitioners from wheeling power through the inter-state open access mechanism, stating that the procedure under the TNERC GEOA regulations would be notified within a period of 90 days from the notification. The petitioners were constrained to approach this Court since the respondents were attempting to create an artificial delay citing the TNERC GEOA Regulations. The petitioners had filed WP No.32455 of 2025 for issuance of a writ of Mandamus directing the respondents to process and



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grant the petitioners' application dated 19.08.2025 for inter-state open access for wheeling 1 MW power from the co-generation bagasse plants operated by petitioners 2 and 3 to the first petitioner.

6. The denial of open access in these circumstances will not only result in financial loss but will also have a cascading adverse impact on the petitioners' workforce and social initiatives.

7. The petitioners have therefore filed these writ petitions seeking the prayer stated above.

8. The respondents have filed a counter affidavit stating that as per the interim order passed by this Court in W.P.No.32455 of 2025 dated 25.08.2025, the respondents processed the petitioners application and adjusted the field units. It is also stated in the counter affidavit that as the accounting procedure is automated, the scheduling request given by the petitioner could not be refused for accounting the wheeled power in the Petitioner's HTSC bills. Further, as per Clause 15 of the Tamil Nadu



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Electricity Regulatory Commission's Green Energy Open Access regulation

there is no concessional charges for interstate transaction. Hence, the petitioner is liable to pay the charges for interstate transaction.

9.The learned counsel for the petitioner would now submit that the petitioner is now ready to pay the charges without any concession for interstate wheeling in compliance with clause 15 of TNERC'S GEOA regulation.

10.In view of the counter filed by the respondent as stated supra, the writ petitions are disposed of by issuing a direction to the petitioners to pay the charges without any concession for interstate wheeling in compliance with clause 15 of TNERC'S GEOA regulation. No costs. Consequently, the connected miscellaneous petitions are closed.

18.11.2025

Tsg
NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No



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M.DHANDAPANI, J.

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