



WEB COPY

WP No. 2323 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 2323 of 2026

and

WMP Nos. 2575 & 2576 of 2026

HCL Technologies Limited
Rep by its Power of Attorney Agent,
Siddharth Bawa,
ELCOT SEZ S.No.602/03
Sholinganallur Village,
Medavakkam High Road,
Chennai-600 096.

..Petitioner(s)

Vs

1. Tamil Nadu Power Distribution Corporation Limited
(TNPDC),
Rep by its Chairman and Managing Director
144, Anna Salai, Chennai-600 002.
2. The Superintending Engineer
Chennai EDC/South -II,
110 SS Complex, Anna Main Road,
K.K.Nagar, Chennai-600 078

..Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records comprised in Show cause notice bearing reference Lr.No.SE/CEDC/DFC/AAO/AS/HT/HTSC No.818/D No.347/25 dated 18.11.2025 and Demand Notice bearing Lr.No.SE/CEDC/DFC/AO/AAO/AS/HT/HT/SC.No.818/D.No.386/25 dated



31.12.2025 and quash the same as being arbitrary illegal, without application of mind and pass orders.

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For Petitioner(s):

Mr.Srinath Sridevan, Senior Counsel
for Mr.Suhrith Parthasarathy

For Respondent(s):

Mr.P.S.Raman, Advocate General
Assisted by Mr.D.R.Arun Kumar
Standing Counsel for R1 & R2

ORDER

The writ petition has been filed for the following relief :

“ To issue a Writ of Certiorari calling for the records comprised in Show cause notice bearing reference Lr.No.SE/CEDC/DFC/AAO/AS/HT/ HTSC No.818/D No.347/25 dated 18.11.2025 and Demand Notice bearing Lr.No.SE/CEDC/DFC/AO/AAO/AS/HT/HT/SC.No.818/ D.No.386/25 dated 31.12.2025 and quash the same as being arbitrary illegal, without application of mind.”

2. The brief facts of the case are herein below set out :

- a) The petitioner-company is an HP consumer and an open-access buyer and it is incorporated under the Companies Act, 1956. The petitioner procures power through the Indian Energy Exchange [in short 'IEX'] and for this purpose, it had placed purchase orders with one Maaya System, to facilitate the procurement of energy through IEX.
- b) The petitioner has a limited role in this purchase process and it is



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the Maaya Systems who had obtained NOC and submits it along with the documents to the State Load Despatch Centre [in short 'SLDC'] for short-term open access approval.

- c) It is the case of the petitioner that SLDC approval is obtained before the first day of each procurement event and it is only on the basis of this approval, the procurement process is taken forward. Thereafter, the SLDC issues injection/drawal statement for the respective billing periods and based on these statements, the energy prepared from IEX is accounted for, and the units were adjusted in slot-wise in the Current Consumption bill.
- d) The petitioner would submit that all of a sudden on 18.11.2025, they were issued with show cause notice by the second respondent, re-working their current consumption charges with effect from 01.04.2024 purportedly on the basis of TNERC (DSM) Regulations 2019, in and by which, a sum of Rs.4,17,00,874/- was shown as shortfall.
- e) According to the petitioner, the show cause notice was received by them only on 18.12.2025, to which. the petitioner had sent a detailed response on 29.12.2025 denying the allegations in the show cause notice and had also sought further time of 10 days starting from 02.01.2026 to furnish its response to the said Notice.
- f) However, ignoring the said response, the 2nd respondent proceeded



to issue the impugned demand notice dated 31.12.2025, directing the petitioner to remit the sum of Rs.4,17,00,874/-.

Hence, the petitioner is before this Court to quash the impugned demand notice.

3. Heard the learned counsel on either side and this Court also perused the materials placed before it.

4. The operative portion of the impugned order would read as follows :

“ 3.0. Further, the facts behind the shortfall has already been stated in the show cause notice issued vide ref.(2) besides allowing opportunity to reply including personnel hearing. Now, the reply for the objection letter received vide ref.(1) is given herewith. Hence, the demand made in letter dt.18.11.2025 is as per the provisions of CERC/DSM Regulations, 2019 and it is requested to remit the arrear amount of Rs.4,17,00,874/- within 15 days from the date of receipt of this letter. Failing which, the arrear amount will be included in the ensuing CC bill. Any discrepancy in calculation may be brought to the notice of the undersigned within the notice period.”

5. A mere reading of the impugned order, clearly depicts the non-application of the mind on the part of the second respondent, as well as the principles of natural justice has been completely given a go-bye. For this reason, the impugned order cannot be sustained. It is also seen on 09.01.2026, the petitioner had submitted a detailed reply, however, the second respondent, without considering the same, has passed the impugned order.



6. Considering the fact that the impugned order is a non-speaking order, this Court is of the view that the impugned order is liable to be quashed. Accordingly, the writ petition is allowed and the impugned order is quashed with the following directions :

- (1) The explanation given by the petitioner on 09.01.2026, shall be treated as their objection to the impugned demand notice dated 31.12.2025 issued by the second respondent;
- (2) The second respondent shall issue a notice of enquiry to the petitioner forthwith;
- (3) The respondents shall afford an opportunity of personal hearing to the petitioner and pass speaking orders within a period of three weeks therefrom.
- (4) The petitioner shall raise all its objections before the authority concerned.

No costs. Consequently, connected miscellaneous petitions are closed.

23-01-2026

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

DS



To:

1. The Chairman and Managing Director
Tamil Nadu Power Distribution Corporation Limited (TNPDC),
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