

March 31, 2015

IWPA Circular No.136 of 2015



Dear Members,

**Stay on TNEB's Circular regarding levy of  
Scheduling and System Operation Charges to "Sale to Board" category**

Indian Wind Power Association filed a writ petition at High Court and got a Stay Order for the same (Copy attached).

The above writ petition challenging the circular issued by TANGEDCO in so far as levy of Scheduling and System Operation Charges for "Sale to Board" category came up for admission before the High Court. The Court was pleased to grant an Interim Order of stay and injunction until 06-04-2015. TANGEDCO has been directed to file a counter by then.

We will intimate you of the extension of the Interim Order after the hearing scheduled for 06-04-2015. In the meanwhile, if members receive any demand for Scheduling and System Operation Charges, they may enclose a copy of the Interim Order and take benefit.

Thanking you,

For Indian Wind Power Association

Encl: as above

(Prof. Dr. K Kasthurirangaian)  
Chairman

Indian Wind Power Association

Door No. E, 6<sup>th</sup> Floor, Tower -1, Shakti Towers, No. 766, Anna Salai, Chennai 600 002

Ph : 044 4550 4036 | Fax : 044 4550 4281 | E-mail : iwpaHQ@windpro.org / secretary.general@windpro.org | Website : www.windpro.org

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

(Special Original Jurisdiction)

Tuesday, the Twenty Fourth day of March Two Thousand Fifteen

PRESENT

THE HON'BLE MR.JUSTICE M.DURAISWAMY

WP No.7956 of 2015

and MP Nos.2 & 3 of 2015

1 INDIAN WIND POWER ASSOCIATION, [ PETITIONERS IN ALL THE  
REP. BY ITS SECRETARY PETITIONS ]  
GENERAL, DOOR NO.E,6TH FLOOR,  
SHAKTI TOWERS-II, 766, ANNA SALAI,  
CHENNAI-2.

2 RAMCO CEMENTS LIMITED,  
REP. BY ITS DGM (LEGAL),  
AURAS CORPORATE CENTRE, V FLOOR,  
98, DR.RAJHAKRISHNAN SALAI,  
MYLAPORE, CHENNAI-4.

VS

1 TAMIL NADU GENERATION & [ RESPONDENTS IN ALL THE PETITIONS ]  
DISTRIBUTION CORPORATION LIMITED,  
REP. BY ITS CHAIRMAN & MANAGING DIRECTOR,  
5TH FLOOR, NPKKR MALIGAI,  
144, ANNA SALAI, CHENNAI-2.

2 STATE LOAD DISPATCH CENTRE,  
TANTRANSO, 144, ANNA SALAI, CHENNAI-2.

3 DIRECTOR (FINANCE),  
TAMIL NADU GENERATION & DISTRIBUTION  
CORPORATION LIMITED, 144, ANNA SALAI,  
CHENNAI-2.

4 TAMILNADU TRANSMISSION  
CORPORATION LTD., REP. BY ITS MANAGING  
DIRECTOR, 144, ANNA SALAI, CHENNAI-2.

5 TAMIL NADU ELECTRICITY  
REGULATORY COMMISSION, NO.19A, RUKMINI  
LAKSHMIPATHY SALAI, EGMORE, CHENNAI-8.

Writ Petitions under article 226 of the Constitutions of  
India praying that in these circumstances stated therein and in  
the respective affidavits filed therewith the High Court will be

bt 01

pleased to

(i)issue a Writ of Certiorari or any other Writ or Order or  
Direction in the nature of a Writ of Certiorari calling for the  
records of the third respondent herein in Lr. No.CFC/FC/ REV/DFC/  
AAO.HT.AS-3/ D.No.166/14 dated 25.11.2014 and consequential demands  
for payment of Scheduling and System Operation Charges and quash  
the same as being arbitrary, illegal and without authority of law  
(in WP.7956/2015);

(ii)To grant an interim injunction, restraining the  
respondents herein, their men, servants, and employees, and /or any  
other person claiming through them or under them from in any manner  
seeking to demand, levy or collect the amount in pursuance of the  
Circular issued by the third respondent herein in Lr. No.CFC/FC/  
REV/DFC/ AAO.HT.AS-3/ D.No.166/14 dated 25.11.2014,(in MP.2/2015)  
and

(iii)To grant an interim order of stay of the impugned  
Circular issued by the third respondent herein in Lr. No.CFC/FC/  
REV/DFC/ AAO.HT.AS-3/ D.No.166/14 dated 25.11.2014 and  
consequential demands by the officers of the respondents, (in  
MP.3/2015) respectively pending WP.No.7956 of 2015.

Order :These petitions coming on for orders upon perusing  
the petitions and the respective affidavits filed in support  
thereof and upon hearing the arguments of M/S.RAHUL BALAJI,  
advocate for the petitioner in all the petitions and of  
MR.P.H.ARVINDPANDIAN ADDL.ADVOCATE GENERAL ASSISTED BY MR.P.GUNARAJ  
STANDING COUNSEL on behalf of the Respondents in all the petitions  
the court made the following order:-

Heard Mr.Rahul Balaji, learned Counsel for the Petitioner.

Mr.Aravind Pandian, Additional Advocate General appearing for  
Mr.P.Gunaraj Standing Counsel for the respondents.

Learned Additional Advocate General sought time till  
06/04/2015 for filing counter.

Post on 06/04/2015 for filing counter. There shall be an order  
of interim stay and interim injunction till then.

-sd/-

24/03/2015

/ TRUE COPY /

SUB-ASSISTANT REGISTRAR ( Statistics / C.S. )  
High Court, Madras - 600 104.

bt 0094

TO

1 THE CHAIRMAN AND MANAGING  
DIRECTOR, TAMILNADU GENERATION AND  
DISTRIBUTION CORPORATION LIMITED,  
5TH FLOOR,NPKKR MALIGAI,  
144, ANNA SALAI, CHENNAI-2.

2 STATE LOAD DISPATCH CENTRE,  
TANTRANSO, 144, ANNA SALAI, CHENNAI-2.

3 DIRECTOR (FINANCE),  
TAMIL NADU GENERATION & DISTRIBUTION  
CORPORATION LIMITED, 144, ANNA SALAI,  
CHENNAI-2.

4 THE MANAGING DIRECTOR  
TAMILNADU TRANSMISSION CORPORATION LTD.,  
144, ANNA SALAI, CHENNAI-2.

5 TAMIL NADU ELECTRICITY  
REGULATORY COMMISSION, NO.19A, RUKMINI  
LAKSHMIPATHY SALAI, EGMORE, CHENNAI-8.

C.C. to M/S.SATISH PARASARAN Advocate SR.No.4121

C.C. to MR.P.GUNARAJ Advocate on payment of necessary charges

Order

in

WP.7956/2015

and MP.2 & 3/2015

Date :24/03/2015

From 26.2.2001 the Registry is issuing certified  
copies of the Interim Orders in this format  
VS 27.03.2015

bt 0094

HIGH COURT OF JUDICATURE MADRAS
S.R.No. 4121
Carbon Copy application made 24/3/2015
Application Returned 200
Application Represented 200
Copy made ready 24/3/2015
Copy delivered 30/3/2015
SV 20-3-15-116256116 Section Officer C.C.C. Section