

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE SEVENTEENTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION NO: 4591 OF 2026



Between:

M/s. Reddy's Laboratories Limited, Having its registered office at 8-2-337, Road No. 3, Banjara Hills, Hyderabad, Telangana- 500 034, Having its unit CTO VI at Pydibheemavaram, Ranastalam Mandal, Srikakulam, Srikakulam District, A.P. With Service Connection No. SKL 091 Rep by its Senior Legal Counsel, Sri Gopala Krishna Gangavelli

...Petitioner

AND

1. State of Andhra Pradesh, Rep. by its Principal Secretary Energy Department, Secretariat, Velagapudi, Amaravathi, Guntur District-522238.
2. Eastern Power Distribution Company of A.P. Ltd., Represented by its Chairman and Managing Director, 3rd floor, Corporate Office, P and T Colony, Seethammadhara, Visakhapatnam-530013
3. The Chief General Manager (RA and PP), Eastern Power Distribution Company of Andhra Pradesh Ltd, Corporate Office Seethammadhara, Visakhapatnam-530013.
4. The Superintending Engineer, Operation Circle, APEPDCL, Srikakulam, Srikakulam District-532001
5. The Senior Accounts Officer, Operation Circle, APEPDCL, Srikakulam, Srikakulam District-532001
6. The State Load Dispatch Center, Transmission Corporation of Andhra Pradesh Ltd., Vidyut Soudha, Vijayawada-520004. Rep. by its Chief Engineer

7. The Executive Engineer, Operation Division, APEPDCL, Srikakulam, Srikakulam District-532001
8. The Southern Region Load Despatch Centre, 29 Race Course Cross Road, Bengaluru, Karnataka - 560009 Rep by its Chief Manager

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ in the nature of a Writ of Mandamus or any other appropriate writ, direction or order declaring a) the action of the respondents No. 2 to 7 herein in insisting to obtain Format A and Format B in the place of Annexure-I prescribed by Central Electricity Regulatory Commission (Open Access in Interstate Transmission) Regulations 2008, the Formats prepared and notified under the Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules, 2022 and the Procedure for Grant of Green Energy Open Access notified by the National Load Despatch Center, Grid Controller of India Limited read with APERC Regulation 2 of 2005 and APERC Regulation 3 of 2024 as pre-requisite for applying to 6th respondent State Nodal Agency, for issuance of No Objection Certificate/ Standing Clearance enabling the Petitioner company to purchase the power from renewable sources of energy from IEX by availing open access and b) further action of Respondents No. 2 to 7 herein in demanding the Petitioner company herein to pay the an amount of Rs. 1,27,54,191.94/- alleged to be the dues, under lis before various Hon ble Courts for issuing the No dues certificate in Format B as wholly arbitrary, illegal, without jurisdiction and being in contravention of Central Electricity Regulatory Commission (Open Access in Interstate Transmission) Regulations 2008 Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules, 2022 and the Procedure for Grant of Green Energy Open Access notified by the National Load Despatch Center, Grid Controller of India Limited read with APERC Regulation 2 of 2005 and APERC Regulation 3 of 2024 AND/OR consequently direct the 6th Respondent to consider the application for NOC

for interstate Short term open access dated 27.01.2026 with respect to Petitioner s Service Connection No. SKL -091 submitted by the Petitioner without insisting for Format A and Format B (No-dues certificate from DISCOM) in accordance with the Central Electricity Regulatory Commission (Open Access in Interstate Transmission) Regulations 2008, Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules, 2022 and allied procedure notified by the designated nodal agencies, within the time period as this Hon ble Court may fix in the interests of justice

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased to direct the 6th Respondent to issue No Objection Certificate/ Standing Clearance to the petitioner for the service connection bearing No.SKL-091 enabling the Petitioner company to purchase the power from renewable and non-renewable sources of energy from IEX and other sources by availing open access without insisting for Format A & Format B (No dues certificate) from Respondents No. 2 to 5 & 7 herein and pass such, Pending disposal of WP 4591 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of CKR ASSOCIATES Advocate for the Petitioner, GP FOR ENERGY Advocate for the Respondent No 1, MS.AISWARYA CHOWDHARY, Learned Counsel representing SRI.V.V.SATISH Standing counsel for Respondent Nos 2 to 8 and the Court made the following.

ORDER:

Heard Mr.S.V.S.S.Siva Ram, learned counsel for the petitioner.

Also heard Ms.Aiswarya Chowdhary, learned counsel representing the respondents 2 to 8.

Learned counsel for the petitioner while stating the circumstances under which the present writ petition is filed, submits that in similar

circumstances, a batch of Writ Petitions were filed and considering the submissions made on both sides, interim orders have been granted in W.P.No.16373 of 2024 etc. He has also drawn the attention of this Court to one of the latest interim orders dated 04.11.2025 in W.P.No.29644 of 2025.

On the other hand, the learned counsel for the respondents 2 to 8 placed a copy of the letter addressed by the 4th respondent to the 3rd respondent, from a reading of which, it is discernible that the application of the petitioner seeking to avail the 'Open Access' from 01.02.2026 to 31.07.2026 is being processed and recommended for Open Access facility' as sought for by it.

In view of the same and in the light of the interim orders in the writ petitions referred to supra, this Court is inclined to pass the following order :

- 1) Respondent No.6 is directed to issue 'NOC' to the petitioner pursuant to the application dated 27.01.2026 without insisting for production of 'No Due Certificate' and Format-A or Format-B, pending disposal of the present Writ Petition.
- 2) As the petitioner's application for 'Open Access' is already recommended, the technical approval shall be accorded on or before 24.02.2026.
- 3) The petitioner shall be permitted to avail 'Open Access', subject to other conditions.
- 4) It is open for the respondent No.6 to take appropriate action, in accordance with the provisions of the Electricity Act, 2003, for recovery of dues, if any.

List this case along with W.P.No. 16373 of 2024 & batch.

By the date of next adjournment, counter-affidavits of the concerned respondents may be filed.

SD/-K.V.RAGHAVULU
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Energy Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District-522238.
2. The Chairman and Managing Director, Eastern Power Distribution Company of A.P. Ltd., 3rd floor, Corporate Office, P and T Colony, Seethammadhara, Visakhapatnam-530013
3. The Chief General Manager (RA and PP), Eastern Power Distribution Company of Andhra Pradesh Ltd, Corporate Office Seethammadhara, Visakhapatnam-530013.
4. The Superintending Engineer, Operation Circle, APEPDCL, Srikakulam, Srikakulam District-532001
5. The Senior Accounts Officer, Operation Circle, APEPDCL, Srikakulam, Srikakulam District-532001
6. The Chief Engineer, State Load Dispatch Center, Transmission Corporation of Andhra Pradesh Ltd., Vidyut Soudha, Vijayawada-520004.
7. The Executive Engineer, Operation Division, APEPDCL, Srikakulam, Srikakulam District-532001 (by RPAD)
8. The Southern Region Load Despatch Centre, 29 Race Course Cross Road, Bengaluru, Karnataka - 560009 Rep by its Chief Manager (ADD 1 to 8 by RPAD)
9. One CC to M/S. CKR ASSOCIATES Advocate [OPUC]
10. One CC to SRI. V.V.SATISH, Standing Counsel [OPUC]
11. Two CCs to GP FOR ENERGY, High Court Of Andhra Pradesh. [OUT]
12. One spare copy.

HIGH COURT

NJS,J

DATED:17/02/2026

LIST THE CASE ALONG WITH W.P.No 16373 of 2024 & BATCH

ORDER

WP.No.4591 of 2026

DIRECTION

