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W.A.No.1535 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WA No.1535 of 2026
and CMP No.14283 of 2026

Tamil Nadu Green Energy Corporation Ltd,
(TNGECL), (Formerly, Tamil Nadu Generation
and Distribution Corporation Limited)
Rep. by its Chief Engineer/NCES,
N.P.K.R.R.Maalgai, No.144, Anna Salai,
Chennai - 600 002.

Appellant(s)

Vs

1. Union of India
Rep by its Secretary to Government,
Ministry of Power, Shram Shakthi Bhawan,
Rafi Marg, New Delhi - 110 001.
2. Kamuthi Renewable Energy Ltd
Rep by its Vice President MEIL House,
First Floor, 395, Anna Salai, Teynampet,
Chennai - 600 018.
3. PFC Consulting Ltd
Rep by its Managing Director,
First Floor, Urja Nidhi, 1, Barakhamba Lane,
Connaught Place, New Delhi - 110 001.

Respondent(s)



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PRAYER: Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 29.05.2026 passed by the learned Single Judge in WP No.18028 of 2026.

For Appellant(s): Mr.Vijay Narayan, Advocate General
and Mr.P.V.Balasubramaniam
Additional Advocate General
assisted by Mr.D.R.Arun Kumar

For Respondent(s): Mr.AR.L.Sundaresan
Additional Solicitor General of India
assisted by Mr.V.T.Balaji
Senior Panel Counsel for R1.

Mr.P.S.Raman, Senior Advocate
for Mr.P.Giridharan
for R2.

JUDGMENT

(Delivered by G.Arul Murugan,J.)

This appeal is preferred against the order dated 29.5.2026 passed by the learned Single Judge in W.P.No.18028 of 2026, whereby the challenge to the invoice uploaded by the second respondent on the Payment Ratification and Analysis in Power Procurement for bringing Transparency in Invoicing of Generators (PRAAPTI) Portal managed by respondent Nos.1 and 3 and the consequential direction sought not to give effect to similar invoices was rejected.



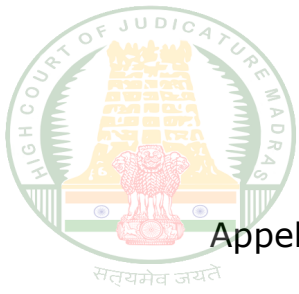
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2.1. Mr.Vijay Narayan, learned Advocate General, submitted that initially an interim order was granted in the writ petition, however, the case was taken up during the vacation sitting after 6 pm, by which time the video-conferencing was switched off and the counsel on record, who was away, was not able to log in and make his submissions. However, he fairly submitted that the junior counsel, who represented the case, was not equipped to make effective submissions.

2.2. Learned Advocate General further submitted that since the issue involved is in respect of drawing of power from the grid, vacating the interim order would have serious repercussions on the appellant/Corporation, as it will not be able to purchase power and in the present situation, where there is peak demand for power, the interest of the Corporation should be protected.

2.3. Learned Advocate General also submitted that though the appellant has preferred an appeal before the Appellate Tribunal for Electricity, due to vacation, there is no regular sitting of the



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Appellate Tribunal and, therefore, they are not able to move the appeal urgently and seek interim orders. He, therefore, seeks indulgence of this court.

3.1. Mr.P.S.Raman, learned Senior Counsel appearing on behalf of the second respondent, submitted that there is a purchase agreement between the parties and if at all there is any issue, the remedy for the appellant is not before the writ court and, therefore, the writ petition filed itself is not maintainable.

3.2. He further submitted that the Tamil Nadu Electricity Regulation Commission (TNERC) has passed the order as early as 17.2.2026 and the appellant had ample time, but, for the reasons best known to it, the appellant had not preferred the appeal and instead approached the writ court and, therefore, the appellant cannot seek advantage of its own wrong. He prayed for dismissal of the appeal.

4. Mr.AR.L.Sundaresan, learned Additional Solicitor General of India appearing on behalf of the first respondent, submitted that



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there is a mechanism whereby invoices are to be uploaded on the web portal – PRAAPTI and as per the scheme, once the bills are uploaded, if at all there is any dispute, the parties have to adjudicate the same before the appropriate forum and unless there is an interim protection, the party will not be able to purchase power and, therefore, the appellant ought to have moved the Appellate Tribunal well within the time and secured its interest.

5. Heard the submissions and perused the material available on record.

6. It is not in dispute that the second respondent is a power generating company and based on the agreement with the appellant, they have supplied energy. In respect of the power supplied, invoice has been raised on 21.2.2026 and the same has been uploaded on the web portal – PRAAPTI.

7. There has been some dispute between the parties and in this regard the issues were adjudicated before the TNERC and the TNERC has passed an order on 17.2.2026. As per Section 111 of



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the Electricity Act, an appeal as against the order passed by the TNERC lies before the Appellate Tribunal. The appellant instead of filing an appeal had preferred the writ petition, which was ultimately dismissed vide the impugned order.

8. Considering the predicament expressed by the learned Advocate General that though they have preferred the appeal as against the order passed by the TNERC, due to vacation they are not able to pursue the appeal before the Appellate Tribunal and seek interim orders, and also considering the fact that there was an interim order subsisting till the dismissal of the writ petition, which was vacated on the date of the impugned order, without going into the merits of the issues advanced on either side, we dispose of the appeal by permitting the appellant to pursue the appeal filed before the Appellate Tribunal.

9. As it is submitted that now vacation sitting has been notified by the Appellate Tribunal from 22.6.2026 for a period of five days, we deem it fit to allow the appellant to pursue the pending appeal before the Appellate Tribunal. However, we make it clear



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that no coercive proceedings pursuant to the order passed by the TNERC shall be taken till 30.6.2026. It is for the appellant to take up the appeal before the Appellate Tribunal and pursue further.

With these observations, the writ appeal stands disposed of. There shall be no order as to costs. Consequently, interim application stands closed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
12.06.2026

Index : Yes/No
Neutral Citation : Yes/No
sasi

To:
The Secretary to Government,
Union of India
Ministry of Power, Shram Shakthi Bhawan,
Rafi Marg, New Delhi - 110 001.



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(sasi)

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