

W.P.(MD)No.9904 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09.03.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.9904 of 2019

and

W.M.P.(MD)Nos.7763 and 7764 of 2019

Loyal Textile Mills Limited,
represented by its Authorised Signatory,
21/4, Mill Street, Kovilpatti- 628 501.

... Petitioner

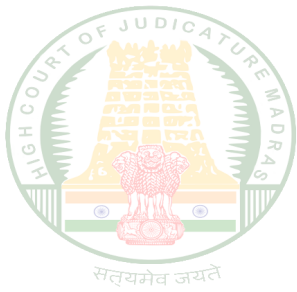
vs.

1.The Tamil Nadu Generation and Distribution
Corporation Limited, (TANGEDCO),
Rep. by its Chairman & Managing Director,
No. 144, Anna Salai, Chennai-2

2.The Superintending Engineer,
Tuticorin Electricity Distribution Circle,
TANGEDCO, Tuticorin.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari calling for the records comprised in Lr.No. 150/SE/TEDC/TTN/AEE/GL/AE-2/F.Loyal/19 dated 29.01.2019 and the consequential demand notice in LR.No. 554/SE/TEDC/TTN/AEE/GL/AE-2/F.Loyal/19 dated 29.03.2019 on file of the 2nd respondent and quash the same as arbitrary and illegal.



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For Petitioner :Mr.Raghuvaran Gopalan
For Respondents :Mr.S.Deenadhayalan

ORDER

1. The petitioner, who is a Captive Generating Plant, challenges the order in Lr.No.150/SE/TEDC/TTN/AEE/GL/AE-2/F.Loyal/19 dated 29.01.2019 and the consequential demand notice in Lr.No. 554/SE/TEDC/TTN/AEE/GL/AE-2/F.Loyal/19 dated 29.03.2019 issued by the second respondent, whereby the petitioner has been called upon to pay Parallel Operation Charges.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The issue as to whether Captive Generating Plants are liable to pay Parallel Operation Charges was examined by the Appellate Tribunal for Electricity in Appeal No.162 of 2019 and connected batch cases. The Appellate Tribunal, by order dated 16.06.2025, held that the Parallel Operation Charges contemplated under Regulation 26 of the Open

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Access Regulations, 2014 are leviable only in respect of those Captive Generating Plants which have opted for parallel operation with the grid by submitting the requisite application along with the prescribed fee in accordance with the procedure prescribed under Regulation 5 of the said Regulations. The said order passed by the Appellate Tribunal has attained finality.

4. In the present case, it is not in dispute that the petitioner has not opted for parallel operation with the grid by submitting the requisite application. Therefore, the decision rendered by the Appellate Tribunal for Electricity squarely applies to the facts of the present case.

5. In view of the above, the impugned order dated 29.01.2019 and the consequential demand notice dated 29.03.2019 issued by the second respondent demanding Parallel Operation Charges from the petitioner are not sustainable in law and are liable to be set aside.

6. Accordingly, this Writ Petition stands allowed and the impugned order



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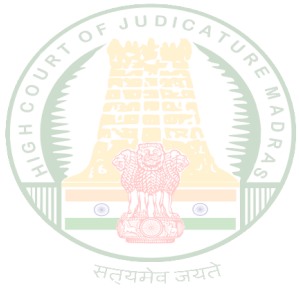
in Lr.No.150/SE/TEDC/TTN/AEE/GL/AE-2/F.Loyal/19 dated

29.01.2019 and the consequential demand notice in Lr.No. 554/SE/TEDC/TTN/AEE/GL/AE-2/F.Loyal/19 dated 29.03.2019 are hereby quashed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

09.03.2026

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HEMANT CHANDANGOUDAR, J.

cmr

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