



TAMIL NADU ELECTRICITY CONSUMERS' ASSOCIATION

Regd. No. 181-8524/1998 – **CIN.No.** U37102TZ1998GAP008524

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TECA:2025-26:CIR/50

February 16, 2026

To All Members

CIRCULAR

Subject: WEGs Completed 20 Years – Order of the Hon'ble Division Bench of the Madras High Court dated 09.02.2026 – Comments

We are forwarding herewith a copy of the Order dated 09.02.2026 passed by the Hon'ble Division Bench of the Madras High Court in a batch of Writ Appeals. The same is communicated to all members whose Wind Energy Generators (WEGs) have completed / are completing 20 years.

Members are aware that TECA filed W.P. No. 5608 of 2025 and obtained an Interim Order dated 18.02.2025, wherein the Hon'ble Court held that

"in light of the earlier interim order in W.A. Nos. 2325 of 2022 batch dated 24.04.2023, the wind energy generated by members and consumed by Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) would continue to enjoy the benefits of captive consumption and banking until further orders.

By virtue of the above, many members have been enjoying the benefits of both adjustment and banking of energy generated by their WEGs beyond 20 years without interruption.

The final Judgement of the Hon'ble Division Bench was issued on dated 09.02.2026

The Hon'ble Division Bench has ordered as below,

"2. In view of the Government orders above, units kept in bank from April 2021 may be encashed by the respective parties in terms of the tariff applicable.

3. TANGEDCO undertakes to file an appropriate petition before the Tamil Nadu Electricity Regulatory Commission in respect of the modifications made in the policy vide G.O.Ms.No.3, Energy, (E1) Department, dated 14.01.2026 on such filing. Tamil Nadu Electricity Regulatory Commission is requested to pass orders as expeditiously as possible in this regard.



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4. Accordingly, the grievances of the parties both in Writ Appeals and Writ Petitions have been redressed. Thus, no further adjudication on merits needs to be undertaken. Consequently, the writ petitions and writ appeals are disposed of. No costs. Petitions in CMP.Nos.17801, 17805, 17810, 17814, 17816, 17815, 17820, 17823, 17825, 17856, 17828, 17827, 17833, 17832, 17846, 17839, 17844, 17840, 17842, 17848, 17850, 17853, 17854, 17859, 17900 of 2022, WMP.No.27912 of 2023, WMP(MD).Nos.21594, 21603, 21729 of 2024 are dispensed with, for the present. Consequently, all other connected miscellaneous petitions are closed."

The Outcome of the Final Order is as follows;

a. Encashment of Unutilized Banked Units

Any Wind Energy Generator (WEG) that has completed 20 years and has unutilized units in its banking account as on:

- 31.03.2022
- 31.03.2023
- 31.03.2024
- 31.03.2025

is eligible to encash such unutilized units at **75% of the applicable Feed-in Tariff.**

Accordingly, generators may raise invoices at their respective Generation Ends, as was being done prior to 31.03.2022 for earlier financial years. Members those who have not raised invoice from 01.04.2021 onwards, can now raise invoice, even by a single invoice, to get the encashment for all the four years at a single stretch

b. Undertaking before the Hon'ble Court

TANGEDCO / TNPDCCL have submitted an undertaking before the Hon'ble Court to take forward the Amended Policy and obtain appropriate orders from TNERC.

It is expected that action will shortly be initiated under **Section 108 of the Electricity Act, 2003**, to secure regulatory orders on the Policy.

c. TNERC Proceedings

TNERC, following due process of law, will:



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- Issue public notice,
- Seek comments from stakeholders,
- Conduct stakeholder hearings, and
- Pass appropriate orders

on the *Tamil Nadu Repowering, Refurbishing and Life Extension (Amended) Policy for Wind Power Projects, 2024*.

d. Continuity of Existing Arrangements

Until TNERC has passed final orders ;

- Existing arrangements will continue without disturbance.
- The Government Order (G.O.) has already been issued.
- The matter is being processed as per due legal procedure.

Members whose WEGs have completed 20 years are **not required to execute fresh Addendums to their Energy Wheeling Agreements (EWAs)** at this stage, since the G.O. and Policy already address the treatment of such WEG and hence can wait for final orders from TNERC and the working instruction from TNGECL.

Members will be informed promptly upon receipt of further developments pursuant to the Hon'ble Division Bench Order dated 09.02.2026.

With Warm Regards

L. Santhosh
President