



WEB COPY



W.P.No.32224 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.No.32224 of 2022
and
W.M.P.No.31630 of 2022

M/s.Vijay Velavan Spinning Mills P Ltd.,
HTSC No.039094390276,
162/1A, Trichy Road, South Avinashipalayam Post,
S.Velayuthampalayam, Pongalur,
Avinashipalayam, Tiruppur – 638 660
Rep. by its Authorized Signatory A.Selvakumar

..Petitioner

Vs.

- 1.Tamil Nadu Electricity Regulatory Commission,
Rep. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road),
Egmore, Chennai – 600 008.
- 2.The Chairman,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.
- 3.Chief Engineer,
Non-Conventional Energy Sources,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.



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4.The Superintending Engineer,
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam.

5.The Superintending Engineer,
TANGEDCO,
Tiruppur Electricity Distribution Circle/South,
Tiruppur.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Mandamus, forbearing the respondent and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner's HTSC No.039094390276 till the entire outstanding dues of Rs.40,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioner's Solar Power Plant HTSC No.03-949-439-0047 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

For Petitioner : Mr.D.P.Parthasarathy

For Respondents : Mr.L.Jaivenkatesh, Standing Counsel

ORDER

Considering the limited prayer sought for in the Writ Petition, this Writ Petition is taken up for disposal at the admission stage with the consent of the learned counsel appearing on either side.



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2. The prayer in the writ petition reads as follow:

To forbear the respondent and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner's HTSC No.039094390276 till the entire outstanding dues of Rs.40,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioner's Solar Power Plant HTSC No.03-949-439-0047 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted .

3. The issue is no longer *resintegra*. This Court had considered similar matters and had directed the respondents to adjust the refundable security deposit at Rs.40,00,000/-. There is no dispute regarding the fact that all the petitioners have commissioned the power plant within the specified time and that they are entitled to refund.

4. In view of the same, there will be a direction to the respondents



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to adjust the security deposit in the current consumption charges payable by the petitioner. Such adjustment shall start from the next bill. Till such adjustment is over, they shall not disconnect. No costs. Consequently, the connected miscellaneous petition is closed.

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dsa

Index : No

Internet : Yes

Speaking order



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To

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Tiruppur.



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R.SUBRAMANIAN, J.

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