



W.P.No.5427 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.02.2023**

CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

**W.P.No.5427 of 2023**

Excel Cotspin (India) Mills P.Ltd.  
HTSC No.49094360105  
red off:21, Dharapuram Road,  
Thillai Nagar, Tirupur 641604,  
rep. By its Authorised Signatory  
R.Bommanasamy

... Petitioner

Vs

1.The Chairman  
Tamil Nadu Generation and Distribution Corporation Ltd.,  
Corporation Limited  
144 Anna Salai, Chennai 600 002.

2.Chief Engineer  
Non Conventional Energy Sources  
Tamil Nadu Generation and Distribution Corporation Limited  
144 Anna Salai, Chennai 600 002.

3.The Superintending Engineer  
Non-Conventional Energy Sources  
TANGEDCO,  
Udumalpet Electricity Distribution Circle,  
Udumalpet

4.The Superintending Engineer  
TANGEDCO, Gobi Electricity Distribution Circle,  
Gobichettipalayam ... Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus forbearing the Respondents and their men agents from collecting current consumption charges demand charges and any arrears from the petitioner's HTSC No.049094360105 till the entire outstanding dues of Rs.10,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioners Solar Power Plant HTSC No.059514500064 is paid or given adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

For the Petitioner : Mr.R.S.Pandiyaraj  
For the Respondents : Mr.L.Jai Venkatesh,  
for the third respondent  
Mr.I.Syed Sibghatulla,  
for the fourth respondent  
No appearance for respondents 1 and 2

### **ORDER**

The Writ Petition has been filed in the nature of Mandamus seeking a direction against the respondent forbearing them from collecting current consumption charges, demand charges and any arrears from the petitioner's HTSC No.049094360105 till the entire outstanding dues of Rs.10,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioner's Solar Power Plant HTSC No. 059514500064 is paid or given adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.



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**2.** In the affidavit filed in support of the Writ Petition, it had been stated that the petitioner has a Solar Power Plant bearing Solar HTSC No. 059514500064. It is under the jurisdiction of the fourth respondent / the Superintendent Engineer, TANGEDCO, Gobichettipalayam. It is stated that electricity is produced from the Solar Power Plant. The said electricity is also supplied to the respondents. It is stated that the petitioner had applied by letter dated 02.07.2019 for establishment of the said Solar Power Plant. Security Deposit of Rs.10,00,000/- was paid by the petitioner. The plant was also commissioned. This was also informed. The petitioner claims refund of the refundable Security Deposit of Rs.10,00,000/- paid. It is stated that the respondents had not refunded the amount. The respondent has been collecting the current consumption charges and had also demanded charges and arrears from the petitioner herein. The petitioner seeks adjustment of the refundable Security Deposit with the current consumption charges.

**3.** I am informed that there are several orders by learned Single Judges of this Court passed in this regard. A perusal of the same reveals that directions have been given to adjust the refundable Security Deposit, in this case, Rs.10,00,000/-, with the current



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consumption charges. Though the petitioner had sought that such adjustment to be made with interest at Rs.10,00,000/-, that request is not granted. The sum of Rs.10,00,000/- paid as a Security Deposit alone shall be adjusted with the current consumption charges from the next consumption bill raised by the second respondent herein. Till the adjustment is over, the petitioner should not suffer any order of disconnection.

**4.** The Writ Petition stands disposed of. No costs. Consequently, WMP No.5448 of 2023 is closed.

**24.02.2023**

Index: Yes/no  
mrn



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To

1.The Chairman

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2.Chief Engineer

Non Conventional Energy Sources

Tamil Nadu Generation and Distribution Corporation Limited

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Udumalpet Electricity Distribution Circle,

Udumalpet

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TANGEDCO, Gobi Electricity Distribution Circle,

Gobichettipalayam



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**C.V.KARTHIKEYAN, J.**  
(mrn)

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