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W.P.No.13468 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.13468 of 2023

M/s.Infinity Manufacturing Company Pvt. Ltd.,
Rep. by its Managing Director,
Mr.D.Diliphan

... Petitioner

Vs.

1.The Chairman and Managing Director,
Tamilnadu Generation and Distribution
Corporation Limited (TANGEDCO)
144, Anna Salai,
Chennai – 600 002.

2.The Superintending Engineer,
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam,
Tiruppur – 641 664.

3.Tamilnadu Electricity Regulatory Commission,
TNERC, 4th Floor,
SIDCO Corporate Office Building,
Guindy,
Chennai – 600 032.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus directing the second respondent to refund



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the amount of Rs.32,17,410/- collected under the head of service connection charges / estimate charges for sanctioning additional load of 500 kva to the petitioner's existing high tension supply in HTSC no.348, within a time frame to fixed by this Hon'ble Court.

For Petitioner : Mr.S.K.Rameshwar

For Respondents : Mr.L.Jaivenkatesh

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the second respondent to refund the amount of Rs.32,17,410/- collected under the head of service connection charges / estimate charges for sanctioning additional load of 500 kva to the petitioner's existing high tension supply in HTSC no.348, within a time frame to fixed by this Court.

2.The case of the petitioner is that the petitioner Company is engaged in the production of steel and alloys and the petitioner made application dated 01.10.2020 for sanction of additional load of 500 kva over and above the sanctioned load of 910 kva. The second respondent sanctioned the additional load of 500 kva vide proceedings



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dated 07.11.2020 and directed the petitioner to pay a sum of Rs.40,10,950/- and the petitioner paid the entire amount and the second respondent also effected the additional load. Thereafter, on the basis of the legal developments, the petitioner made representation to the second respondent seeking for refund of Rs.32,17,410/- towards the service connection charges for the sanction of additional load of 500 kva to the petitioner's existing service connection, however, there is no response. Hence, the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that for similar cases, refund order was passed, however, the petitioner's representation seeking refund of the amount has not yet been considered by the respondents.

4.The learned counsel appearing for the respondents, on instructions, submitted that the petitioner is entitled for refund of a sum of Rs.30,92,750/- and the said amount will be adjusted in the future current consumption charges, starting from July, 2023.

5.In view of the above, this writ petition stands disposed of with



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direction to the respondents to adjust the amount of Rs.30,92,750/- in the petitioner's future current consumption charges, starting from July, 2023. The respondents are further directed to give information to the petitioner with regard to the adjustment of the amount in the consumption charges. No costs.

01.06.2023

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

- 1.The Chairman and Managing Director,
Tamilnadu Generation and Distribution
Corporation Limited (TANGEDCO)
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Chennai – 600 002.
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M.DHANDAPANI,J.
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