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W.P.Nos.19428, 19439, 19440 and 19449 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.19428, 19439, 19440 and 19449 of 2023 and
W.M.P.Nos.18689, 18694, 18695 and 18702 of 2023

M/s.V.Thangavel & Sons P Ltd,
No.51, (OLD No.61) Raja Street,
Pallipalayam – 638 006 Namakkal,
Repd. By its Authorized Signatory,
M.Yuvaraj

... Petitioner in W.P.No.19428 of 2023

A.D.Elango Sivaa Blue Metals,
S.F.No.782, Nathakadaiyar Road,
Nall Road, Parancervali (Po),
Kangayam – 638 701,
Repd. By its Authorized Signatory,
V.Manikandan.

... Petitioner in W.P.Nos.19439 and 19449 of 2023

Victus Dyeings,
S.F.No.53/2, Chettiurai Thottam,
Karipudur Village, Veerapandi Post,
Tirupur – 641 605,
Repd. by its Authorized Signatory,
V.Manikandan

... Petitioner in W.P.No.19440 of 2023

Vs.

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



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

...respondents in all W.Ps.

3. The Superintending Engineer,
TANGEDCO,
Udumalpet Electricity Distribution Circle,
Udumalpet.

4. The Superintending Engineer,
TANGEDCO,
Coimbatore North Electricity Distribution Circle,
Coimbatore. ... 3rd and 4th respondents in W.P.No.19428 of 2023

3. The Superintending Engineer,
TANGEDCO,
Virudhunagar Electricity Distribution Circle,
Virudhunagar.

4. The Superintending Engineer,
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam. ... 3rd and 4th respondents in W.P.Nos.19439
and 19449 of 2023

3. The Superintending Engineer,
TANGEDCO,
Virudhunagar Electricity Distribution Circle,
Virudhunagar.

4. The Superintending Engineer,
TANGEDCO,
Tirupur Electricity Distribution Circle,
Tirupur. ... 3rd and 4th respondents in W.P.No.19440 of 2023

Prayer in W.P.No.19428 of 2023: Writ Petition filed under Article 226 of the
Constitution of India for issuance of a Writ of Mandamus, forbearing the



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Respondent and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner's HTSC No.049094220288 till the entire outstanding dues of Rs.30,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the Petitioner's Solar Power Plant HTSC No.059614520022 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

Prayer in W.P.No.19439 of 2023: Writ Petition filed under Article 226 of the Constitution of India for issuance of a 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.039094390487 till the entire outstanding dues of Rs.20,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the Petitioner's Solar Power Plant HTSC No.079534620093 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

Prayer in W.P.No.19440 of 2023: Writ Petition filed under Article 226 of the Constitution of India for issuance of a 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.039094380053 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. 079534620091 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.



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Prayer in W.P.No.19449 of 2023: Writ Petition filed under Article 226 of the Constitution of India for issuance of a 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.039094390487 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. 079514620054 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

In all W.P.s

For Petitioners : Mr.R.S.Pandiyaraj

For Respondents : Mr.L.Jai Venkatesh

COMMON ORDER

Since the issue involved in the present writ petitions are one and the same they are disposed of by way of this common order.

2. Considering the limited prayer sought for in these Writ Petitions, these Writ Petitions are taken up for disposal at the admission stage with the consent of the learned counsel appearing on either side.

3. The issue is no longer *res integra*. This Court had considered similar matters and had directed the respondents to adjust the refundable security



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deposit at Rs.10,00,000/-. 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 to adjust the security deposit in the current consumption charges payable by the petitioners. Such adjustment shall start from the next bill. Till such adjustment is over, they shall not disconnect and the needful as indicated above shall be undertaken by the respondents and the communication to be made to the petitioners within a period of two weeks from the date of receipt of a copy of this order.

5. With these directions, these writ petitions are disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

30.06.2023

Index : Yes / No
Speaking order / Non speaking order
Netrual Citation Case : Yes / No
(rap)

To



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Palladam Electricity Distribution Circle,
Palladam.
7. The Superintending Engineer,
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M.DHANDAPANI, J.

rap

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