



WEB COPY



W.P.No19343 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No19343 of 2023 and
W.M.P.No.18617 of 2023

M/s.Maris Spinners Limited,
Represented by its General Manager
Mr.R.S.Ganappathi,
Head Office at No.11, Cathedral Road,
Chennia – 600 086

... Petitioner

Vs.

1. Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Represented by its Chairman and Managing Director,
144, Anna Salai,
Chennai – 600 002.

2. The Chief Engineer,
Non Conventional Energy Sources(NCES),
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
144, Anna Salai, Chennai – 600 002.

3. The Superintending Engineer,
Trichy Electricity Distribution Circle,
Metro/TNEB, TANGEDCO,
Mannarpuram, Trichy – 620 020.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for
issuance of a Writ of Mandamus, forbearing the Respondents, their men,
agents, officers, representatives, etc., from in any manner collecting current



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consumption charges, demand charges, any other charges and/or any other amount from the petitioner for their HT SC No.069094420088, till the entire outstanding dues of Rs.28,00,000/-(Rupees Twenty Eight Lakhs Only) payable by the 1st and 2nd respondents to the petitioner towards refundable security deposit, in the account of the petitioner's Solar Power Plant HT SC No.06-953-442-0062, along with interest thereon, is fully refunded to the petitioner or given adjustment with the current consumption charges payable by the petitioner.

For Petitioner : Mr.Arun Anbumani

For Respondents : Mr.Suresh Kumar

ORDER

This writ petition has been filed seeking for issuance of a writ of mandamus to forbear the Respondents, their men, agents, officers, representatives, etc., from in any manner collecting current consumption charges, demand charges, any other charges and/or any other amount from the petitioner for their HT SC No.069094420088, till the entire outstanding dues of Rs.28,00,000/-(Rupees Twenty Eight Lakhs Only) payable by the 1st and 2nd respondents to the petitioner towards refundable security deposit, in the account of the petitioner's Solar Power Plant HT SC No.06-953-442-0062, along with interest thereon, is fully refunded to the petitioner or given



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adjustment with the current consumption charges payable by the petitioner

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2. Considering the limited prayer sought for in this Writ Petition, the Writ Petition is 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 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 petitioner. 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 petitioner within a period of two weeks from the date of receipt of a copy of this order.



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M.DHANDAPANI, J.

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5. With these directions, the writ petition is disposed of. No costs.

Consequently, the connected miscellaneous petition is closed.

30.06.2023

Index : Yes / No

Speaking order / Non speaking order

Netrual Citation Case : Yes / No

(rap)

To

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Chennai – 600 002.
2. The Chief Engineer,
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Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO),
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