



WEB COPY



W.P.No.21263 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.21263 of 2023
and W.M.P.No.20676 of 2023

M/s.Bangalore Air Products Pvt. Ltd
45, Part, Kiadb Industrial area
Hoskote, Bangalore 562114
repd. its By its Authorized Signatory
Dharshen. G

... Petitioner

Vs.

1.The Chairman
Tamil Nadu Generation and Distribution
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
TANGEDCO
Chennai West Electricity Distribution Circle
CHENNAI

... Respondents



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PRAYER: The 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 Group captive Consumer M/s.TN Oxygen Pvt. Ltd. Current Consumption Bills in HTSC No.019094061673 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.468 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

For Petitioner : Mr.S.Lakshmipathy

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel for TNEB

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.This petition is filed seeking refund of a security deposit of Rs.10 lakhs which the respondent is duty bound to repay. The deposit was made by establishing solar power plant and as per the norms once the solar power plant is commissioned, the respondent is obligated to refund the security deposit.



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3.Mr.L.Jai Venkatesh, the learned standing counsel takes notice for the
Tamil Nadu Electricity Board.

4.This Court understands that the respondent is also raising current consumption charges against the petitioner and this court now directs that the respondent is required to adjust its current consumption charges against the refundable deposit, which it is obligated to do. This arrangement will commence from August 2023.

5.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

18.07.2023
(5/5)

kas

Index : Yes / No

Neutral Citation : Yes / No

Office to Note: Issue order copy on 21.07.2023

N.SESHASAYEE, J.



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To.

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