



WEB COPY



W.P.No.21404 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.21404 of 2023
and W.M.P.No.20809 of 2023

Sri Sivajothi Spinning Mills (P) Ltd. HT. SC No.84,
S.F.No.172, Kovai Road, Polavapalayam Post,
Nambiyur-638458
Erode by its authorized signatory S.Pramasivam

... Petitioner

Vs.

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

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



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3.The Executive Engineer,
Wind farm Project
Non Conventional Energy Sources,
Udumalpet Electricity Distribution Circle,
Udumalpet.

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

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, for 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.049094360089 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.069514430107 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.I.Syed Sibghatulla
for TNEB



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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.20,00,000/- 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.

3.Mr.I.Syed Sibghatulla, the learned Standing Counsel takes notice for TNEB.

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



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commence from August 2023.

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

19.07.2023
(7/7)

Anu

Index : Yes / No

Neutral Citation : Yes / No

To.

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N.SESHASAYEE, J.

Anu

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