



W.P.No.23891 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.23891 of 2023

M/s GMS Shree Green Power Pvt Ltd,
New H-98/1, Periyar Nagar,
Erode – 638 001,
repd. 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,
Erode Electricity Distribution Circle,
Erode.

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of



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India, to issue a writ of Mandamus, forbearing the respondent and their men, agents from collecting current consumption charges, deemed charges and any arrears from the petitioner's Group captive Consumer M/s VMC STEEL AND ALLOYS INDUSTRY Current Consumption Bills in HTSC.No.049094260336 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.079514720072 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.I.Syed Sibghatulla
Standing Counsel for TNEB

ORDER

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

2.The petitioner is a captive generator, and it has sold the surplus electricity it has generated to the TANGEDCO. In this regard, the TANGEDCO owes the petitioner a sum of Rs.10,00,000/-.



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3.Mr.I.Syed Sibghatulla, the Standing Counsel for TNEB takes notice for respondents 1 to 3.

4.There is a claim and a counter claim on either side. Inasmuch as the respondent / TANGEDCO has admitted the purchase of electricity from the petitioner and also a liability of Rs.10,00,000/- , it is only appropriate that the said sum is adjusted against any of its claim against the outstanding from its end to the petitioner. Till the accounts on either side is entirely reconciled, the respondent / TANGEDCO is prohibited from taking any coercive steps to realize its dues from the petitioner.

5.This writ petition is disposed of with the above directions. No Costs. Consequently, the connected miscellaneous petition is closed.

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Tsg
Index : Yes / No
Neutral citation : yes/no

N.SESHASAYEE, J.



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Tsg

To

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