



W.P.No.24066 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.24066 of 2023
and W.M.P.No.23551 of 2023

M/s.ACV Products P Ltd.,
SF.No.1593/2B, Vadapudhupatti,
Theni – 625 531,
repd by its Authorized Signatory
A.Chandrasekaran

... 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.

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



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

... 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 Group captive consumer HTSC No.059094500175 till the entire outstanding dues of Rs.35,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioner's Solar Power Plant HTSC No.059514500102 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.S.Madhusudhanan
Standing Counsel for TNEB

ORDER

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



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2.This petition is filed seeking refund of a security deposit of Rs.35,00,000/- 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.S.Madhusudhanan, the learned standing counsel takes notice for the respondents.

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 September 2023.



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

16.08.2023

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Index : Yes / No

Neutral Citation : Yes / No

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N.SESHASAYEE, J.

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