



WEB COPY



W.P.Nos.24354 and 24357 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.Nos.24354 and 24357 of 2023

M/s.Power Link System (Pvt) LTD.,
S.F.No.341/2 & 3, Keela Chitrai Chavadi Village,
Vedapatti - Perur Road,
Coimbatore - 641 007 Represented by its
Authorized Signatory C.K.Iyappan

... Petitioner in W.P.No.24354 of 2023

M/s.Mefco Engineers Pvt. Ltd.,
Fountain Plaza 5th Floor,
Pantheon Road, Egmore,
Chennai by its Authorized Signatory
Dharshen.G

... Petitioner in W.P.No.24357 of 2023

Vs.

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



W.P.Nos.24354 and 24357 of 2023

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
NCES
Udumalpet Electricity Distribution Circle,
Udunalpet.

...Respondents in W.P.No.24354 of 2023

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 Executive Engineer,
TANGEDCO,
Distribution Rural,
Tuticorin.

...Respondents in W.P.No.24357 of 2023



W.P.Nos.24354 and 24357 of 2023

Prayer in W.P.No.24354 of 2023: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondent, to refund 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.059504500123.

Prayer in W.P.No.24357 of 2023: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondent, to refund 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.472.

In both W.Ps

For Petitioner : Mr.S.Lakshmipathy

For Respondents : Mr.D.R.Arunkumar
Standing Counsel for TNEB
for R1 to R3

COMMON ORDER

The petitioners herein are generator of solar energy, and they have made some security deposit at the time they commenced the project, which is liable to be refunded once the solar energy plant gets commissioned.

2.Learned counsel for the petitioners submitted that the petitioners have



W.P.Nos.24354 and 24357 of 2023

commissioned the solar energy plant within the time stipulated, and hence they are entitled to the return of the security deposit.

3.Mr.D.R.Arunkumar, the learned Standing Counsel for TNEB, takes notice for respondents 1 to 3, and submitted that, as per the norms, the solar energy generation should have been commissioned within a period of one year, and there are instances where this time period may also be extended. Therefore, the return of the security deposit essentially depends on whether the petitioners are eligible for a refund.

4.In view of the above, the respondents are now required to consider the petitioners' representation for refund. In the eventuality of the respondents not agreeing with the petitioners' request for a refund, the respondents are required to give a personal audience to the petitioners or their representatives and then pass appropriate orders. The whole exercise is directed to be concluded within a period of six (6) weeks from the date of receipt of an online copy or the date on which the order is hosted in the official website, whichever is earlier.



W.P.Nos.24354 and 24357 of 2023

5. These Writ Petitions stand disposed of accordingly. No Costs.

WEB COPY

17.08.2023

Anu

Index : Yes / No

Neutral citation : yes/no

To

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 Executive Engineer,
TANGEDCO,
Distribution Rural,
Tuticorin.

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

N.SESHASAYEE, J.



WEB COPY



W.P.Nos.24354 and 24357 of 2023

Anu

W.P.Nos.24354 and 24357 of 2023

17.08.2023