



WEB COPY



W.P.No.26733 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2023

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MR.JUSTICE N.SESHASAYEE

W.P.No.26733 of 2023
and W.M.P.No.26165 of 2023

Enkay Textile
444, Enkay Illam, Karaiyanpudur
Pappinaickenpatty (Po), Namakkal 637 003
Repd. by its Authorized Signatory P.Karthick

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



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4.The Superintending Engineer
TANGEDCO
Namakkal Electricity Distribution Circle
Namakkal

... Respondents

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 HTSC No.049094370377 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.059514500144 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.Kalaiselvam
Standing Counsel for TANGEDCO

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



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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.Kalaiselvan, the learned standing counsel takes notice for the TANGEDCO.

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 October 2023.

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

12.09.2023
(1/6)

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N.SESHASAYEE, J.



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To.

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Tamil Nadu Generation and Distribution
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