



WEB COPY



W.P.No.26739 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.26739 of 2023
and W.M.P.No.26177 of 2023

M/s.KENZA Textiles Pvt. Ltd
No.24, VCTV Road
Veerabathrar Street
Erode 638003
repd. by its Authorized Signatory
M.MOHAMED ASLAM

... 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
TANGEDCO
Namakkal Electricity Distribution Circle
NAMAKKAL



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4.The Superintending Engineer
TANGEDCO
Erode Electricity Distribution Circle
ERODE

... 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 group captive consumer M/s.K.A.S. Industries Pvt. Ltd., current consumption bills in HTSC No.049094260313 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.049514370023 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 Sigbhatulla
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



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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 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
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N.SESHASAYEE, J.



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To.

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