



WEB COPY



W.P.No.27451 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.27451 of 2023
and W.M.P.No.26902 of 2023

M/s.VBC Associates,
No.78, G.N.Chetty Road,
T.Nagar, Chennai – 600 017,
Repd. By its Partner V.S.Rajesh

... Petitioner

Vs.

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

2.Director/Generation,
TANGEDCO,
10th Floor, NPKRR Maligai,
144, Anna Salai,
Chennai – 600 022.

3.Chief Engineer
Non-Conventional Energy Sources
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002



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4.The Superintending Engineer
TANGEDCO
Non-Conventional Energy Sources,
Udumalpet Electricity Distribution Circle
Udumalpet.

5.The Superintending Engineer
TANGEDCO
Chennai Electricity Distribution Circle (Central),
Chennai.

... 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.019094022465 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.059514500054 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.L.Jaivenkatesh
Standing Counsel for TANGEDCO



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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 while 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.L.Jaivenkatesh, 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.



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

20.09.2023

Tsg



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To.

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Non-Conventional Energy Sources,

Udumalpet Electricity Distribution Circle

Udumalpet.

5.The Superintending Engineer

TANGEDCO

Chennai Electricity Distribution Circle (Central),

Chennai.



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N.SESHASAYEE, J.

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