



WEB COPY



W.P.Nos.27249 and 27252 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2023

CORAM

**MR.JUSTICE N.SESHASAYEE**

W.P.No.27249 and 27252 of 2023

M/s.Mefco Energy Power Pvt Ltd.,  
95A,(NP) Sidco Industrial Estate,  
Ambattur Chennai 600 0098 by its Authorized Signatory  
Dharshen.G

... Petitioner in W.P.No.27249 of 2023

M/s.Mefco Power Pvt. Ltd.,  
No.1, 3rd Street, Dr.Thirumurthy Nagar,  
Nungambakkam,  
Chennai-600034 by its Authorized Signatory  
Dharshen. G

... Petitioner in W.P.No.27252 of 2023

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.



W.P.Nos.27249 and 27252 of 2023

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

...Respondents in both W.Ps

Prayer in 27249 of 2023:The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents, 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.422.

Prayer in 27252 of 2023:The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents, 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.423.

**In both the W.Ps**

For Petitioner : Mr.S.Lakshmipathy

For Respondents : Mr.D.R.Arunkumar  
Standing Counsel for TANGEDCO



W.P.Nos.27249 and 27252 of 2023

### **COMMON ORDER**

WEB COPY

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 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 TANGEDCO, takes notice for respondents, 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



W.P.Nos.27249 and 27252 of 2023

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.

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

15.09.2023

Anu/vca

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. The Chief Engineer,  
Non Conventional Energy Sources,

4/6



W.P.Nos.27249 and 27252 of 2023

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

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

N.SESHASAYEE, J.



WEB COPY



W.P.Nos.27249 and 27252 of 2023

Anu

W.P.Nos.27249 and 27252 of 2023

15.09.2023