



WEB COPY



W.P.No.27304 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.27304 of 2023

M/s.Sri Swasi Infraz Pvt Ltd.,
No.117, Power House Road,
Erode 638001
Rep. by its Authorized Signatory
Dharshen.G

... 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,
Erode Electricity Distribution Circle,
Erode.

... Respondents



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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 captive user M/s VMC Steel and Alloys Industry HTSC No.049094260336 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.079514720074 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

For Petitioner : Mr.S.Lakshmipathy

For Respondents : Mr.I.Syed Sibghatulla
Standing Counsel for R1 to R3

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.This petition is filed seeking a refund of a security deposit of Rs.10,00,000/- which the respondent is duty bound to repay. The deposit was made for establishing solar power plant and as per the norms once the



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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 respondents 1 to 3.

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.

15.09.2023
(4/7)

Anu/vca

Index : Yes / No
Neutral Citation : Yes / No



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N.SESHASAYEE, J.

Anu

To.

1.The Chairman
Tamil Nadu Generation and Distribution
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Chennai 600 002.

2.The Chief Engineer,
Non-Conventional Energy Sources,
Tamil Nadu Generation and Distribution
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