



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 24.11.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.Nos.33236 & 33239 of 2023 and
WMP.Nos.32954 & 32955 of 2023

New Vision Wind Power (Pvt) Ltd
No.12B, 1st Floor, Rangasamy Naidu Street,
Opp to Trichy Road, Coimbatore – 641 005
repd By its Authorised Signature
M.Balaji

... Petitioner in WP.No.33236 of 2023

M/s.Dev International,
Kalapatti-Kurumbapalayam Road,
Coimbatore-641 048.

By its Proprietrix D.Usha Devarajan ... Petitioner in WP.No.33239 of 2023

Vs

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

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

3.Director Generation
TANGEDCO,
144, Anna Salai
Chennai-600 002.

... Respondents in both WPs



W.P.Nos.33236 & 33239 of 2023

PRAYER in WP.No.33236 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents to refund the Rs.20,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioner's Solar Power Plant HTSC No.059514500104.

PRAYER in WP.No.33239 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents to refund the 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.039504380045.

(In both WPs)

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Ms.R.Rebecca Vasanthini Percy
for Mr.D.R.Arun Kumar

COMMON ORDER

The petitioners seek writ of mandamus directing the respondents to refund Rs.20,00,000/- (WP.No.33236 of 2023) and Rs.10,00,000/- (WP.No.33239 of 2023) with interest being the refundable security deposit made by the petitioners for the purpose of commissioning of solar power plant.

2.It is not in dispute that the petitioners have commissioned the solar power plant and it is working. Ms.Rebecca Vasanthini Percy, learned counsel on behalf of Mr.D.R.Arunkumar, learned Standing Counsel for the respondents confirms the liability of the second respondent to refund the amounts to the petitioners.



W.P.Nos.33236 & 33239 of 2023

3.Considering the same, there will be a direction to the second respondent to refund the security deposit to the petitioners with appropriate interest as provided in the contract within a period of eight (8) weeks from the date of receipt of a copy of this order.

4.These writ petitions are disposed in the above terms. No costs. Connected miscellaneous petitions are closed.

24.11.2023

Index : Yes/No

Speaking order

Neutral Citation:Yes

vs

To

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Chennai-600 002.

2.Chief Engineer,

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Dr.ANITA SUMANTH, J.

VS

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