



WEB COPY



W.P.No.7887 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.03.2024

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.7887 of 2024

and

WMP.No.8856 of 2024

Secan Invescast (India) P Ltd.,
No.504/2C, L&T, By-Pass Road,
Eachanari Post, Coimbatore – 641 021
Represented by its Joint Managing Director
V.P.Ilavarasan

... Petitioner

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

Respondents

...

PRAYER: Writ Petition filed under Article 226 of the Constitution of India

praying to issue a Writ of Mandamus directing the Respondents to refund

Rs.25,00,000/- payable to the petitioner towards refundable security deposit.



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For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.J.Aravind
for Mr.D.R.Arun Kumar
Standing Counsel

ORDER

The petitioner seeks a writ of mandamus directing the respondents to refund Rs.25,00,000/- being the refundable security deposit made by the petitioner for the purpose of commissioning of solar power plant.

2.Mr.J.Aravind, learned counsel on behalf of Mr.D.R.Arun Kumar, learned Standing Counsel for the respondents confirms the liability of the second respondent to refund the amount to the petitioner, referring to a confirmation received by e-mail dated 22.03.2024 from the EE/Solar/NCES, who is not arrayed as a party. In that e-mail the Executive Engineer confirms that the petitioner had applied for a 5 MW Solar Power Project at Porulur Village and had remitted 50% of the security deposit amounting to Rs.25,00,000/-. However, on account of non-feasibility, the project was abandoned.

3.Considering the above, there is a direction to the second respondent to refund the security deposit of Rs.25,00,000/-, within a period of ten (10) weeks from the date of receipt of a copy of this order.



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4.This writ petition is disposed in the above terms. No costs. Connected

miscellaneous petition is closed.

22.03.2024

Index : Yes/No

Speaking order

Neutral Citation:Yes

vs

To

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



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Dr.ANITA SUMANTH, J.

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