



WEB COPY



W.P. No.22805 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2024

CORAM:

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No. 22805 of 2024
and
W.M.P. No.24837 of 2024

M/s.VSM Weavess India Private Ltd.,
H.T.S.C. No.049094370536
Rep. by its Vice President – Finance,
S.P. Satheesh Kumar

.. Petitioner

Versus

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
No.144, Anna Salai,
Chennai – 600 002.

2. The Director – Finance,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
7th Floor,
144, Annasalai,
Chennai – 600 002.

3. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
Namakkal Electricity Distribution Circle,
Namakkal.

.. Respondents

<https://www.mhc.tn.gov.in/judis> Writ Petition is filed under Article 226 of the Constitution of India to



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issue Writ of Mandamus, directing the respondents to make the refund of the Rs.1,53,75,194.00, along with interest @ 6.75% from 01.04.2024 up to the date of full refund of the excess Security deposit, which is kept pending unauthorizedly with the respondents, which is legally refundable to the petitioner for his HTSC No.049094370536 as per Clause 5(5)(v) of the TN Electricity Supply Code 2004.

For Petitioner

: Mr. S.P. Parthasarathy

For Respondents

: Mr. S. Kalaiselvan

ORDER

By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

2. This writ petition is filed to direct the respondents to refund a sum of Rs.1,53,75,194/- along with interest @ 6.75% from 01.04.2024 upto the date, of full refund of the excess Security Deposit, which is kept pending unauthorisedly with the respondents, which is legally refundable to the petitioner for his HTSC No.049094370536 as per Clause 5(5) (v) of the TN Electricity Supply Code 2004.

3. The learned counsel for the petitioner submits that excess Security Deposit amount is available with the respondents and it is not refunded so far inspite of representation. On the other hand, the petitioner-industry is



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struggling for survival due to continuous recession in the industry. In such event, if the amount is refunded, even in instalments it will lend support to the continuance of the petitioner industry. In support of his contention, he drew the attention of this Court to the relevant Clause mentioned in Tamil Nadu Electricity Supply Code, 2004 for refund of excess Security Deposit and prayed for issuance of appropriate direction to the respondents to refund the said deposit amount of Rs.1,53,75,194/- along with interest.

4. The learned Standing Counsel appearing for the respondents submits that the excess Security Deposit available with the respondents will be adjusted by the respondents towards the consumption charges payable by the petitioner. However, he submitted that as per the Working Sheet issued by the respondents, the excess amount lying in HTSC No.049094370536 towards Current Consumption Deposit for the year 2023-2024 is only Rs.1,39,89,250/- and he agrees, on instructions, that the same will be adjusted in instalments in the ensuing Current Consumption charges. Accordingly, the learned Standing counsel appearing for the respondents prayed this Court to issue appropriate directions in this regard.

5. Considering the submissions made by the learned counsel for both sides, this Court, without going into the merits of the case, disposes of this



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writ petition, by directing the respondents to adjust the excess Security Deposit pertaining to HTSC No.049094370536 in ten instalments in the ensuing Current Consumption charges. The said exercise will commence from the month of August 2024 onwards. No costs. Consequently, connected miscellaneous petition is closed.

07.08.2024

Index : Yes / No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2

To
1. The Chairman,
Tamil Nadu Generation and Distribution
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No.144, Anna Salai,
Chennai – 600 002.

2. The Director – Finance,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
7th Floor,
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M.DHANDAPANI, J.



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3. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
Namakkal Electricity Distribution Circle,
Namakkal.

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