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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2024

CORAM:

THE HON'BLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.30927, 30931, 30933 & 30934 of 2024

and

WMP.Nos.33510, 33513, 33516 & 33517 of 2024

Best Cotton Mills Private Ltd.,
No.89/2, Avinashi Road, Padmavathipuram,
Tiruppur-641 603, Rep. By its Manager,
P.Muthukrishnan

... Petitioner in W.P.no.30927 of 2024

M/s.Hindustan Textiles,
No.1/372, MTP Road,
K.Vadamadurai Post,
Coimbatore,
Rep. By its Authorized Signatory,
Mr.S.Prabhu.

... Petitioner in W.P.no.30931 of 2024

Cottex Spinners Coimbatore Pvt. Ltd.,
27/9A, Thiru Nagar, Singanallur,
Coimbatore,
Rep. By its Authorized Signatory,
N.Vasanth.

... Petitioner in W.P.no.30933 of 2024

R.R.D. Tex Pvt. Ltd.,
No.89/2, Avinashi Road,
Padmavathipuram,
Tiruppur – 641 603,
Rep. By its Manager,
P.Muthukrishnan.

... Petitioner in W.P.no.30934 of 2024



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Vs.

1. The Chairman and Managing Director,
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 Ltd., 144, Anna Salai,
Chennai-2

3. The Director Generation, Tamil Nadu Generation and distribution
Corporation Ltd., 144, Anna Salai, Chennai-2.

.... respondents 1 to 3rd in all the W.P.s'

4. The Superintendent Engineer,
TANGEDCO, Palladam Electricity Distribution Circle,
Palladam.

.... 4th respondent in W.P.No.30927 and 30934 of 2024

4. The Superintendent Engineer,
TANGEDCO, Coimbatore North Electricity Distribution Circle,
Coimbatore.

.... 4th respondent in W.P.No.30931 and 30933 of 2024

Prayer in W.P.no.30927 of 2024: Writ Petition filed under Article 226 of the
Constitution of India, to issue a Writ of Mandamus forbearing the
respondents and their men, agents from collecting current consumption



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charges, demand charges and any arrears from the petitioner's HTSC No.039094390129 till the entire outstanding dues of Rs.60,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioner's Solar power Plant HTSC. No.079514720089 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire outstanding amount is adjusted.

Prayer in W.P.no.30931 of 2024: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner's HTSC No.039094300068 and 039394300099 till the entire outstanding dues of 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.079534620143 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire outstanding amount is adjusted.

Prayer in W.P.no.30933 of 2024: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner's HTSC No.039094350465 till the entire outstanding dues of 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.0995141000009 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire outstanding amount is adjusted.

Prayer in W.P.no.30934 of 2024: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner's HTSC No.039094390208 till the entire outstanding dues of Rs.45,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioner's Solar power Plant HTSC. No.079514720090 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire outstanding amount is adjusted.

For Petitioner : Mr.R.S.Pandiyaraj in all the petitions

For Respondents : Mr.D.R.Arunkumar
in all the petitions

COMMON ORDER

Since the issue involved in the present writ petitions are one and the same they are disposed of by way of this common order.

2. Considering the limited prayer sought for in these Writ Petitions,



these Writ Petitions are taken up for disposal at the admission stage with the consent of the learned counsel appearing on either side.

3. The issue is no longer *res integra*. This Court had considered similar matters and had directed the respondents to adjust the refundable security deposit at Rs.10,00,000/-. There is no dispute regarding the fact that all the petitioners have commissioned the power plant within the specified time and that they are entitled to refund.

4. In view of the same, there will be a direction to the respondents to adjust the security deposit of Rs.60,00,000/-, 20,00,000/-, 20,00,000/- and Rs.45,00,000/- in the current consumption charges payable by the petitioners. Such adjustment shall start from the next bill. Till such adjustment is over, they shall not disconnect and the needful as indicated above shall be undertaken by the respondents and the communication to be made to the petitioners within a period of two weeks from the date of receipt of a copy of this order.



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27.09.2024

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To:

1. The Chairman and Managing Director,
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 Ltd., 144, Anna Salai,
Chennai-2

3. The Director Generation,
Tamil Nadu Generation and distribution Corporation Ltd.,
144, Anna Salai, Chennai-2.

4. The Superintendent Engineer, TANGEDCO, Palladam Electricity
Distribution Circle, Palladam.

5. The Superintendent Engineer,
TANGEDCO, Coimbatore North Electricity Distribution Circle,
Coimbatore.

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M.DHANDAPANI, J.

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W.P.No.30927, 30931, 30933 & 30934 of 2024

27.09.2024