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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.Nos.30938, 30939, 30942 and 30944 of 2024
in WMP.Nos.33523, 33525, 33526 & 33530 of 2024

M/s.Indo Shell Cast Pvt. Ltd.,
A-14, SIDCO Industrial Estate,
Coimbatore,

Rep. By its Authorized Signatory J.Ganesh Kumar

... Petitioner in W.P.No.30938 of

2024

Armstrong Power System Pvt.
61 C Saminathapuram II Street,
Anuparapalayam Post,
Tiruppur,

Rep. By its Authorized Signatory A.Arumugam.

... Petitioner in W.P.No.30939 of

2024

M/s.Venkatalakshmi Paper and Boards Pvt. Ltd.,
Andipatti Road, Kollumum,
Madathukulam Taluk,
Tiruppur,

Rep. By its Authorized Signatory A.Suresh.

... Petitioner in W.P.No.30942 of

2024

Schutte Meyer Ashwath Alloys Pvt. Ltd.,
S.F.No.173, Appanaikenpatti Post,
Sulur Via, Coimbatore,
Rep. By its Authorized Signatory
S.Govarathanan.

... Petitioner in W.P.No.30944 of



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Vs.

1. Tamil Nadu Generation & Distribution Corporation Ltd.,
TANGEDCO,
Rep. By its Chairman & Managing Director,
No.144, Anna Salai, Chennai-2.

2. The Chief Engineer,
Non-conventional Energy Sources,
Tamil Nadu Green Energy Corporation Ltd.,
144, Anna Salai, Chennai-2.

3. The Director Generation,
Tamil Nadu Generation & Distribution Corporation Ltd.,
144, Anna Salai, Chennai.

....Respondents 1 to 3 in W.P.Nos.30938, 30939, 30942 and 30944

4. The Superintending Engineer,
TANGEDCO,
Coimbatore South Electricity Distribution Circle,
Coimbatore. ... 4th Respondent in W.P.no.30938 of 2024

4. The Superintending Engineer,
TANGEDCO,
Gobi Electricity Distribution Circle,
Gobi. ... 4th Respondent in W.P.no.30939 of 2024

4. The Superintending Engineer,
TANGEDCO,
Udumalaipet Electricity Distribution Circle,
Udumalaipet. ... 4th Respondent in W.P.no.30942 of 2024

1. Tamil Nadu Electricity Regulatory Commission,
Rep. By its Secretary,
19-A, Rukmini Lakshmipathy Salai,
Marshall's Road, Egmore, Chennai-8.



2. The Chairman,
Tamil Nadu Generation & Distribution Corporation Ltd.,
144, Anna Salai, Chennai-2.

3. The Chief Engineer,
Non-conventional Energy Sources,
Tamil Nadu Generation & Distribution Corporation Ltd.,
144, Anna Salai, Chennai-2.

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

... 4th Respondent in W.P.no.30944 of 2024

Prayer in W.P.No.30938 of 2024: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioners HTSC. No.039094320104 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 petitioners solar power plant HTSC. No.039534390097 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

Prayer in W.P.No.30939 of 2024: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioners HTSC. No.049094360083 till the entire outstanding dues of Rs.25,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioners solar power plant HTSC. No.059514600191 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

Prayer in W.P.No.30942 of 2024: Writ Petition filed under Article 226 of the



Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioners HTSC. No.039094340210 till the entire outstanding dues of Rs.40,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioners solar power plant HTSC. No.069534460056 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

Prayer in W.P.No.30944 of 2024: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioners HTSC. No.039094390330 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 petitioners solar power plant HTSC. No.039514380042 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

In all the W.P.s

For Petitioners : Mr.R.S.Paniyaraj

For Respondents : Mr.D.R.Arunkumar

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.



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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. 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 respective security deposit 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.

5. With these directions, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

17.10.2024

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To

1. Tamil Nadu Generation & Distribution Corporation Ltd.,
TANGEDCO,



Rep. By its Chairman & Managing Director,
No.144, Anna Salai, Chennai-2.

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M.DHANDAPANI, J.

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2. The Chief Engineer,
Non-conventional Energy Sources,
Tamil Nadu Green Energy Corporation Ltd.,
144, Anna Salai, Chennai-2.

3. The Director Generation,
Tamil Nadu Generation & Distribution Corporation Ltd.,
144, Anna Salai, Chennai.

4. The Superintending Engineer,
TANGEDCO,
Coimbatore South Electricity Distribution Circle,
Coimbatore.

5. The Superintending Engineer,
TANGEDCO,
Gobi Electricity Distribution Circle,
Gobi.

6. The Superintending Engineer,
TANGEDCO,
Udumalaipet Electricity Distribution Circle,
Udumalaipet.

7. Tamil Nadu Electricity Regulatory Commission,
Rep. By its Secretary,
19-A, Rukmini Lakshmipathy Salai,
Marshall's Road, Egmore, Chennai-8.

8. The Superintending Engineer,
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam.



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