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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2024

CORAM :

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

W.P.No.31386 of 2024

M/s.Sakthi Mahindra Breeding Farm Private Ltd.,
Rep. By its Director,
V.Palanisamy,
No.323/1B, Seluvampatty Road,
Bommampatty Taluk,
Namakkal-637 212.

... Petitioner

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 Corporation Ltd.,
No.144, Anna Salai,
Chennai-2.

3. The Superintending Engineer,
TANGEDCO,
Namakkal Electricity Distribution Circle,
Namakkal District.

4. The Superintending Engineer,
TANGEDCO,



Chennai North Electricity Distribution Circle,
Chennai District.

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... Respondents

Prayer: 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 user until the entire outstanding dues of Rs.50,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioner's solar power plant in HTSC. No.049534370059 is paid or give adjustment in the current consumption charges payable by the petitioner's user in HTSC No.019094041771 of Chennai North EDC till the entire amount is adjusted, based on the petitioner's representation dated 03.09.2024 sent to the second respondent within a time frame as may be fixed by this Court.

For Petitioners : Mr.S.Senthil

For Respondents : Mr.D.R.Arunkumar

COMMON ORDER

Considering the limited prayer sought for in these Writ Petition, the Writ Petition is taken up for disposal at the admission stage with the consent of the learned counsel appearing on either side.

2. 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.50,00,000/-. There is no dispute regarding the fact that all the petitioner has 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.50,00,000/- in the current consumption charges payable by the petitioner. 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 petitioner within a period of two weeks from the date of receipt of a copy of this order.

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

24.10.2024

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Index : Yes / No

Speaking order / Non speaking order

Netrual Citation Case : Yes / No



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M.DHANDAPANI, J.

rli

To

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