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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.Nos.31741, 31742, 31744, 31747 & 31749 of 2024

M/s.Sri Krishna Sun Power Private Ltd.,
Rep. By its Authorised signatory,
R.Shankar,
Sri Krishna complex,
No.28/1, Karuppannam Street,
S.P.Pudur, Namakkal.
2024

... Petitioner in W.P.No.31741 of

M/s.SMR Green Industry Private Limited,
Rep. By its Authorised Signatory,
R.Shankar, No.142/1Kokkarayan Pettai Road,
Kollapatti, Animoor Post,
Tiruchengode Taluk,
Namakkal District.

...Petitioner in W.P.no.31742 of 2024

M/s.Anithaa Weaving Mill Private Limited,
Rep. By its Authorised Signatory,
R.Shankar, No.145 – F6, Dr.T.G.N.Complex,
West Car Street, Tiruchengode,
Namakkal District.
2024

... Petitioner in W.P.No.31744 of

M/s.Chellam Sun Power Pvt. Ltd.,
Rep. By its Authorised Signatory,
R.Shankar,
No.3/2, Kandar Hostel Road,
Mohanur Road,



Namakkal District.
2024

... Petitioner in W.P.No.317474 of

M/s.Dharan Green Energy Pvt. Ltd.,
Rep. By its Authorised Signatory,
R.Shankar,
No.14, Seelanaickenpatti By-pass
Salem.
2024

... Petitioner in W.P.No.317479 of

Vs.

1. The Chairman
Tamil Nadu Electricity Board,
Anna Salai, Chennai-2.

2. The Chief Engineer,
Non-conventional Energy Sources,
TANGEDCO, 144, Anna Salai,
Chennai-2.

3. The Director Generation,
TANGEDCO,
Anna Salai, Chennai.

....Respondents 1 to 3 in all the writ petitions

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

5. The Superintending Engineer,
TANGEDCO,
Chennai North Electricity Distribution Circle,
Chennai District.

... 4th Respondent in W.P.no.31741 of 2024

4. The Superintending Engineer,
TANGEDCO,



Pudukottai Electricity Distribution Circle,
Pudukottai.

5. The Superintending Engineer,
TANGEDCO,
Chennai North Electricity Distribution Circle,
Chennai District.

... 4th Respondent in W.P.no.31742 of 2024

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

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

... 4th Respondent in W.P.no.31744 of 2024

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

5. The Superintending Engineer,
TANGEDCO,
Chennai North Electricity Distribution Circle,
Chennai District.

... 4th Respondent in W.P.no.31747 of 2024

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

5. The Superintending Engineer,
TANGEDCO,



Salem Electricity Distribution Circle,
Salem District.

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... 4th Respondent in W.P.no.31749 of 2024

Prayer in W.P.No.31741 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 user until the entire outstanding dues of Rs.75,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioners solar power plant HTSC. No.069534420068 is paid or give adjustment in the current consumption charges payable by petitioner's user in HTSC. No.019094041771 of Chennai North EDC till the entire amount is adjusted, based on the petitioner's representation dated 31.07.2024 submitted to the second respondent within a time frame as may be fixed by this Court.

Prayer in W.P.No.31742 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 user until 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.069534460067 is paid or give adjustment in the current consumption charges payable by petitioner's user in HTSC. No.019094041771 of Chennai North EDC till the entire amount is adjusted, based on the petitioner's representation dated 31.07.2024 submitted to the second respondent within a time frame as may be fixed by this Court.



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Prayer in W.P.No.31744 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 user until the entire outstanding dues of Rs.30,00,000/- payable to the petitioner along with interest towards refundable security deposit in the account of the petitioners solar power plant HTSC. No.079514620079 is paid or give adjustment in the current consumption charges payable by petitioner's user in HTSC. No.049094370391 of Namakkal EDC till the entire amount is adjusted, based on the petitioner's representation dated 08.08.2024 submitted to the second respondent within a time frame as may be fixed by this Court.

Prayer in W.P.No.31747 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 user until 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.069534460064 is paid or give adjustment in the current consumption charges payable by petitioner's user in HTSC. No.019094041771 of Chennai North EDC till the entire amount is adjusted, based on the petitioner's representation dated 31.07.2024 submitted to the second respondent within a time frame as may be fixed by this Court.

Prayer in W.P.No.31749 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 user until 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.069534460081 is paid or give adjustment in the current consumption charges payable by petitioner's user in HTSC. No.049094240406 of Salem EDC till the entire amount is adjusted, based on the petitioner's representation dated 08.08.2024 submitted to the second respondent within a time frame as may be fixed by this Court.

In all the W.P.s

For Petitioners : Mr.S.Senthil

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.

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 deposits 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.

24.10.2024

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Index : Yes / No

Speaking order / Non speaking order

Netrual Citation Case : Yes / No

To



1. The Chairman
Tamil Nadu Electricity Board,
Anna Salai, Chennai-2.

M.DHANDAPANI, J.

rli

2. The Chief Engineer,
Non-conventional Energy Sources,
TANGEDCO, 144, Anna Salai,
Chennai-2.

3. The Director Generation,
TANGEDCO,
Anna Salai, Chennai.

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Pudukottai Electricity Distribution Circle,
Pudukottai.

5. The Superintending Engineer,
TANGEDCO,
Chennai North Electricity Distribution Circle,
Chennai District.

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

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

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



Salem District.

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