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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.31874, 31875 & 31877 of 2024

Om Wind Farm (india) Pvt. Ltd.,
Rep. By its Director Mr.V.Saravanan
No.L-4, Sidco Industrial Estate,
Chennimalai Road, Erode.

... Petitioner in W.P.No.31874 of 2024

Shri om Wind Energy Pvt. Ltd.,
Rep. By its Director,
V.Saravanan,
No.L-4, Sidco Industrial Estate,
Chennimalai Road, Erode.

... Petitioner in W.P.No.31875 of 2024

Om Wind Farm (india) Pvt. Ltd.,
Rep. By its Director Mr.V.Saravanan
No.L-4, Sidco Industrial Estate,
Chennimalai Road, Erode.

...Petitioner in W.P.no.31877 of 2024

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,
TANGEDCO,
Anna Salai, Chennai.

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

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

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

... Respondents 4 & 5 in W.P.no.31874, 31875 & 31877 of 2024

Prayer in W.P.No.31874 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 due 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.079534620158 is paid or give adjustment in the current consumption charges payable by the petitioner's group captive user in HTSC No.039094390638 of Palladam EDC till the entire amount is adjusted, based on the petitioner's representation dated 05.09.2024 submitted to the second respondent within a time frame as may be fixed by this Court.

Prayer in W.P.No.31875 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



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charges, demand charges and any arrears from the petitioners user until the entire outstanding due 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.079534620159 is paid or give adjustment in the current consumption charges payable by the petitioner's group captive user in HTSC No.039094390638 of Palladam EDC till the entire amount is adjusted, based on the petitioner's representation dated 05.09.2024 submitted to the second respondent within a time frame as may be fixed by this Court.

Prayer in W.P.No.31877 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 due 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.069514430048 is paid or give adjustment in the current consumption charges payable by the petitioner's group captive user in HTSC No.039094390638 of Palladam EDC till the entire amount is adjusted, based on the petitioner's representation dated 09.09.2024 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.

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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 deposits. 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.



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Index : Yes / No

Speaking order / Non speaking order

Netrual Citation Case : Yes / No

To

1. The Chairman & Managing Director,
Tamil Nadu Generation & Distribution Corporation Ltd.,
TANGEDCO,
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,
TANGEDCO,
Anna Salai, Chennai.

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

4. The Superintending Engineer,
TANGEDCO,
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Tiruppur District.

M.DHANDAPANI, J.

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