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W.P.Nos.31935 & 31937 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2024

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

W.P.Nos.31935 & 31937 of 2024

M/s. Saran Green Energy,
No.8/649, Saran Garden, Arulpuram,
Palladam Road, Tirupur-641 605,
Rep. by its Authorized Signatory Jawharlal T.S.R.K.
...Petitioner in W.P.No.31935 of 2024

M/s. Kannappan Textile Mill Pvt Ltd.,
No.9/11, Kalidas Road, Ramnagar,
Coimbatore-641 009,
Rep. by its Authorized Signatory Jawharlal T.S.R.K.
...Petitioner in W.P.No.31937 of 2024

Vs.

1. The Chairman,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.
2. Chief Engineer,
Non-Conventional Energy Sources,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.
3. Director Generation,
TANGEDCO,
144, Anna Salai, Chennai-600 002. ...R1-R3 in both W.P's.



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4. The Superintending Engineer,
TANGEDCO,
Chengalpattu Electricity Distribution Circle,
Chengalpattu. ...R4 in W.P.No.31935 of
2024

5. The Superintending Engineer,
TANGEDCO,
Madurai Electricity Distribution Circle,
Madurai. ...R4 in W.P.No.31937 of
2024

Prayer in W.P.No.31935 of 2024: 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 Group captive consumer M/s Sangsin Brake India Pvt Ltd Current Consumption Bills in HTSC No.099094110835 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.029474140013 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.31937 of 2024: 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.059094520209, till 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 petitioner's Solar Power Plant HTSC No.029474140017 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

In both W.P's.:

For Petitioner : Mr.S.Lakshmipathy



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For Respondents : Mr.D.R.Arun Kumar

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COMMON ORDER

Since the issue involved in both the Writ petitions are similar in nature, they are disposed of by way of this common order.

2. Mr.D.R.Arun Kumar, learned counsel takes notice on behalf of the respondents. By consent, the writ petitions are taken up for final disposal at the admission stage itself.

3. When the matters were taken up for hearing, it was brought to the notice of this Court that, the issue involved in the present Writ petitions is no longer *res integra* and 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 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 shall be a direction to the respondents to adjust the respective security deposit in the current consumption charges



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payable by the respective 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 the above directions, these Writ petitions are disposed of. No costs.

25.10.2024

skt

Index : Yes/ No
Speaking Order : Yes/ No
NCC : Yes/ No

To

1. The Chairman,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.
2. Chief Engineer,
Non-Conventional Energy Sources,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.

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3. Director Generation,
TANGEDCO,
144, Anna Salai, Chennai – 600 002.
4. The Superintending Engineer,
TANGEDCO,
Chengalpattu Electricity Distribution Circle,
Chengalpattu.
5. The Superintending Engineer,
TANGEDCO,
Madurai Electricity Distribution Circle,
Madurai.



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M.DHANDAPANI, J.

skt

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