



WEB COPY



W.P.No.32040 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.No.32040 of 2024

M/s. Navee Green Energy LLP.,
No.6/15/E, Chettipalayam Main Road,
Pappampatti, Coimbatore - 641 016
Rep. by its Authorized Signatory Jawharlal T.S.R.K. ...Petitioner

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.
4. The Superintending Engineer,
TANGEDCO,
Erode Electricity Distribution Circle,
Erode. ...Respondents



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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 Group captive consumer M/s. Shanthi Feeds Pvt Ltd, in HTSC No.059094500312 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 petitioner's Solar Power Plant HTSC No.029474140014 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

For Petitioner : Mr.S.Lakshmipathy

For Respondents : Mr.D.R.Arun Kumar

ORDER

This Writ petition has been filed seeking to forbear the respondents, their men and agents from collecting current consumption charges, demand charges and any arrears from the petitioner's Group captive consumer M/s. Shanthi Feeds Pvt Ltd, in HTSC No.059094500312 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 petitioner's Solar Power Plant HTSC No.029474140014 is paid or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.



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

3. When the matter was taken up for hearing, it was brought to the notice of this Court that, the issue involved in the present Writ petition 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 petitioner has commissioned the power plant within the specified time and that it is entitled to refund.

4. In view of the same, there shall be a direction to the respondents to adjust the security deposit of Rs.40,00,000/- 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.

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WEB COPY 5. With the above directions, this writ petition is disposed of. No costs.

25.10.2024

skt

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

To

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M.DHANDAPANI, J.

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