



WEB COPY



W.P.Nos.32614, 32619 & 32625 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **30.10.2024**

CORAM

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

W.P.Nos.32614, 32619 & 32625 of 2024

W.P.No.32614 of 2024

M/s.RBA Power Private Limited,
F2, Door No.5/129, First Floor,
Opposite to BSNL Telephone Exchange,
Sulochana Nagar, Molivakam,
Chennai – 600 125, Rep. by its
Authorized Signatory Mr.Thulasi ... Petitioner

Vs.

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

Page No.1 of 8



W.P.Nos.32614, 32619 & 32625 of 2024

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

W.P.No.32619 of 2024

M/s.RBA Power Private Limited,
F2, Door No.5/129, First Floor,
Opposite to BSNL Telephone Exchange,
Sulochana Nagar, Molivakam,
Chennai – 600 125, Rep. by its
Authorized Signatory Mr.Thulasi ... Petitioner

Vs.

- 1.The Chairman,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.
- 2.The Chief Engineer,
Non-Conventional Energy Sources,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.
- 3.The Director – Generation,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.
- 4.The Superintending Engineer,
TANGEDCO, Perambalur Electricity Distribution Circle,
Perambalur. ... Respondents

W.P.No.32625 of 2024



W.P.Nos.32614, 32619 & 32625 of 2024

M/s.RBA Power Private Limited,
F2, Door No.5/129, First Floor,
Opposite to BSNL Telephone Exchange,
Sulochana Nagar, Molivakam,
Chennai – 600 125, Rep. by its
Authorized Signatory Mr.Thulasi

... Petitioner

Vs.

- 1.The Chairman,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.
- 2.The Chief Engineer,
Non-Conventional Energy Sources,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.
- 3.The Director – Generation,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.
- 4.The Superintending Engineer,
TANGEDCO, Tuticorin Electricity Distribution Circle,
Tuticorin.

... Respondents

Prayer in W.P.No.32614 of 2024 : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent to refund the Rs.5,00,000/- payable to the petitioner along with interest towards refundable security deposited by the petitioner initially for the purpose of establishment of 1MW Solar Power Plant vide



W.P.Nos.32614, 32619 & 32625 of 2024

receipt dated 04.08.2022 as per the petitioner's representation dated 05.06.2024.

Prayer in W.P.No.32619 of 2024 : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent to refund the Rs.5,00,000/- payable to the petitioner along with interest towards refundable security deposited by the petitioner initially for the purpose of establishment of 1MW Solar Power Plant vide receipt dated 16.03.2023 as per the petitioner's representation dated 23.04.2024.

Prayer in W.P.No.32625 of 2024 : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent to refund the Rs.5,00,000/- payable to the petitioner along with interest towards refundable security deposited by the petitioner initially for the purpose of establishment of 1MW Solar Power Plant vide receipt dated 16.06.2023 based on the petitioner's representation dated 23.04.2024.

For Petitioner : Mr.J.Karuppiah
(in all WPs)

For Respondents : Mr.D.R.Arun Kumar



(in all WPs)

Standing Counsel

COMMON ORDER

Since the issue involved in these writ petitions is one and the same, with the consent of the learned counsel appearing for both sides, these writ petitions were heard together and disposed of by this common order.

2. Mr.D.R.Arun Kumar, learned Standing Counsel, takes notice on behalf of the respondents in all the writ petitions.

3. The issue involved in these writ petitions is no longer *res integra*. This Court had considered similar matters and had directed the respondents to refund the refundable security deposit. There is no dispute regarding the fact that all the petitioners have commissioned the solar power plant within the specified time and it is working and the liability of the 1st respondent to refund the petitioners is also not in dispute.



W.P.Nos.32614, 32619 & 32625 of 2024

WEB COPY

4. In view of the same, there will be a direction to the respective 1st respondent to refund the respective security deposit with appropriate interest as provided in the contract if there is no legal impediment, within a period of eight (8) 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.

30.10.2024

Index : Yes / No
Speaking Order : Yes / No
Neutral Citation Case : Yes / No
sp



W.P.Nos.32614, 32619 & 32625 of 2024

WEB COPY To

- 1.The Chairman,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.
- 2.The Chief Engineer,
Non-Conventional Energy Sources,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.
- 3.The Director – Generation,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai, Chennai – 600 002.
- 4.The Superintending Engineer,
TANGEDCO, Tuticorin Electricity Distribution Circle,
Tuticorin.
- 5.The Superintending Engineer,
TANGEDCO, Perambalur Electricity Distribution Circle,
Perambalur.



WEB COPY



W.P.Nos.32614, 32619 & 32625 of 2024

M.DHANDAPANI,J.

sp

W.P.Nos.32614, 32619 & 32625 of 2024

30.10.2024