



W.P.(MD)No.15423 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.08.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.15423 of 2017

M/s.Subburaj Spinning Mills Private Limited,
Represented by its Director,
R.Ragavan

... Petitioner

Vs.

1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai – 600 002.

2.The Superintending Engineer,
Tirunelveli Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation Limited, TANGEDCO,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to refund the excess security credit of Rs.80,04,201/- along with eligible interest as per the proceedings of the second respondent in Lr.No.SE/TEDC/TIN/AO/R/HT/D 316/2017 dated 20.04.2017, within the time as may be fixed by this Court.



W.P.(MD)No.15423 of 2017

For Petitioner : Mr.N.Sudalai Muthu

For Respondents : Mr.S.Deenadhayalan

ORDER

The present Writ Petition is filed praying for a Mandamus, directing the second respondent to refund the excess security credit of Rs.80,04,201/- along with eligible interest as per the proceedings dated 20.04.2017.

2. It is submitted by the learned counsel for the petitioner that the petitioner had submitted a representation dated 11.07.2017 requesting the second respondent to refund the excess security deposit of Rs.80,04,201/-. However, no action has been taken thereupon. In the meanwhile, the second respondent had issued a current consumption bill for the month of July 2017. Hence, the petitioner had sent another representation dated 07.08.2017 requesting the second respondent to refund the amount of Rs.80,04,201/-, after adjusting Rs.7,40,992/- towards current consumption bill for the month of July 2017. As on date, the petitioner is eligible for a refund of Rs.72,63,209/-. If the respondents collect the amounts due to them, they should also refund the



W.P.(MD)No.15423 of 2017

amount due to the petitioner, in view of excess security deposit. Since the above

excess security deposit was not refunded, the present petition is filed.

3. When the matter was taken up for hearing, the learned counsel for the respondents would submit that the representation of the petitioner would be considered and orders would be passed thereon in accordance with law and the same is acceded to by the learned counsel for the petitioner.

4. In view of the same and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the respondents to consider the petitioner's representation dated 07.08.2017, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of personal hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law.



W.P.(MD)No.15423 of 2017

5. With the above direction, the Writ Petition stands disposed of. No costs.

20.08.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

- 1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai – 600 002.
- 2.The Superintending Engineer,
Tirunelveli Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation Limited, TANGEDCO,
Tirunelveli.



WEB COPY



W.P.(MD)No.15423 of 2017

MOHAMMED SHAFFIQ, J.

Nsr

W.P.(MD)No.15423 of 2017

20.08.2024