

W.P.No.11557 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 01.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.11557 of 2025

and

W.M.P.No. 13051 of 2025

M/S. ANNUR SS AGRO FOODS PVT LTD.,
#107, NAGAMMAPUDUR POST,
AVINASHI MAIN ROAD,
ANNUR-COIMBATORE DISTRICT,
REP. BY ITS AUTHORIZED SIGNATORY
S. SIVAKUMAR

... 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.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to refund Rs.50,00,000/- payable to the petitioner towards refundable security deposit.



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For Petitioner : Mr.S.P.Parthasarathy
For R1 & R2 : Ms.R.Preethika
for Mr.D.R.Arunkumar

ORDER

The petitioner herein seeks a direction to respondents to refund Rs.50,00,000/- payable to the petitioner towards refundable security deposit.

2. The petitioner filed an application before the respondents on 30.11.2023 seeking permission for establishment of 10 MW Solar power plant as per TNERC's Solar Order No.5/2018 dated 28.03.2018. The petitioner paid necessary charges including the security deposit of Rs.50,00,000/-. However, the petitioner could not go ahead with the installation of the solar power plant due to intervening Covid-19 pandemic and the resultant financial loss. Therefore, the petitioner has decided not to continue with the establishment of solar power plant as planned. Since the proposal to set up Solar power plant was dropped and the petitioner submitted a representation before the 2nd respondent on 05.12.2024 seeking refund of the security deposit made by the petitioner and the same has not been considered. Hence, the petitioner has come before this Court.

3. Ms.R.Preethika, the learned counsel who takes notice for the respondents, on instructions, submits that petitioner is entitled to the refund of



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the security deposit. Therefore, the representation submitted by the petitioner will be considered and orders will be passed in accordance with law within a time fixed by this Court.

4. In view of the said stand taken by the learned Counsel for the respondents, the 2nd respondent is directed to consider the representation of the petitioner dated 05.12.2024 and pass final orders on its' own merits within a period of two weeks from the date of receipt of copy of this order. In case, the 2nd respondent passes order for refund of the security deposit, the same shall be paid to the petitioner within a period of two weeks from the date of the order.

5. With the above directions, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

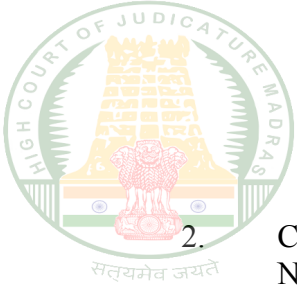
01.04.2025

Neutral Citation: Yes/No
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To

1. THE CHAIRMAN,
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION LIMITED,
144, ANNA SALAI, CHENNAI - 600 002.

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2.

CHIEF ENGINEER,
NON-CONVENTIONAL ENERGY SOURCES,
TAMIL NADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED,
144, ANNA SALAI, CHENNAI - 600 002.

D.BHARATHA CHAKRAVARTHY, J.

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