



W.P.No.39585 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.39585 of 2024

M/s.Century Textile Chemicals,
S.F.No.253, Site No.10 and 21,
Sri Murugan Nagar Sukkampalayam Village,
Palladam – 641 664,
Rep by its Managing Partner,
Mariappan.

... 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.



W.P.No.39585 of 2024

4.The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
Perambalur Electricity Distribution Circle,
Perambalur.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd Respondent to refund the Rs.20,00,000/- payable to the petitioner towards refundable security deposit in the account of the Petitioner's Solar Power Plant HTSC No.06-953-440-0036.

For Petitioner : Mr.S.Umapathy

For Respondents : Mr.D.R.Arunkumar
Standing Counsel (TNEB)

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.



W.P.No.39585 of 2024

2. The petitioner herein seeks a direction to the respondents to refund a sum of Rs.20,00,000/- payable to the petitioner towards refundable security deposit in respect of petitioner's Solar Power Plant HTSC No.06-953-440-0036.

3. It is the case of the petitioner that it applied for establishment of 2 MW Solar Power Plant as per the TNERC's Solar Order No.5/2018, dated 28.03.2018. As a precondition, the petitioner deposited a sum of Rs.20,00,000/- towards refundable security. The letter of approval was issued to the petitioner for commissioning of the solar power plant and the petitioner satisfactorily commissioned the said plant on 14.08.2024 well within the time limit. Therefore, the petitioner is entitled to refund of the entire security deposit amount. In spite of the commissioning of the solar power plant within time, the respondents have not paid the deposit amount to the petitioner. Hence, the petitioner has come before this Court.

4. Mr.D.R.Arunkumar, learned Standing Counsel (TNEB), who is taking notice for the respondents would submit that the petitioner's solar



W.P.No.39585 of 2024

power plant was commissioned within the time limit. Therefore, the petitioner is entitled to refund of the entire security deposit amount.

5. In view of the undisputed position that the petitioner commissioned the solar power plant within the time stipulated and entitled for refund of the security deposit, this Court is inclined to issue a direction to the 3rd respondent to refund the security deposit amount of Rs.20,00,000/- to the petitioner in respect of the petitioner's Solar Power Plant HTSC No.06-953-440-0036, within a period of four weeks from the date of receipt of copy of this order.

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

02.01.2025

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
ub



W.P.No.39585 of 2024

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,
Tamil Nadu Generation and Distribution
Corporation Limited,
Perambalur Electricity Distribution Circle,
Perambalur.



WEB COPY



W.P.No.39585 of 2024

S.SOUNTHAR, J.

ub

W.P.No.39585 of 2024

02.01.2025