



W.P.(MD)No.17242 of 2017

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.01.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.17242 of 2017

J.Rachel Prema

... Petitioner

/Vs./

1. Tamil Nadu Energy Development
Agency(TEDA),
Through its Chairman,
E.V.K.Sampath Maligai,
5th Floor, No.68, College Road,
Chennai-6.
2. The General Manager (Technical),
Tamilnadu Energy Development
Agency(TEDA),
E.V.K. Sampath Maligai,
5th Floor, No.68, College Road,
Chennai – 6.
3. The Chief Consultant
Tamilnadu Energy Development Agency(TEDA),
E.V.K. Sampath Maligai,
5th Floor, No.68, College Road,
Chennai-6.
4. The Superintending Engineer (Electrical),
Public Works Department,
Electrical Circle, Madurai.



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5. The Electrical Engineer,
Public Works Department, Electrical Division,
Madurai - 2

6. The Assistant Executive Engineer (Electrical),
Public Works Department,
Electrical Sub Division,
Tirunelveli.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, To issue a Writ of Mandamus, directing the respondents to pay a sum of Rs.1,18,200/- by considering the petitioner's final representation dated 26.05.2017.

For Petitioner : Mrs.S.Ragaventhree

For Respondents : Mr.M.Senthil Ayyanar

Government Advocate

ORDER

This Writ Petition has been filed for a direction, directing the respondents to pay a sum of Rs.1,18,200/- which was already deposited as subsidy amount for the works already completed as per the work order.

2. Heard the learned counsel on either side and perused the materials placed before this Court.



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3. The petitioner is running a solar products including Solar Power System, Solar Hot Water System and Solar Pump System, in the name and style of M/s.Krain Power Line. While being so, the Jawaharlal Nehru National Solar Mission was initiated by the Government of India and the State Governments to promote solar power. In pursuant to the same, the respondents 1 and 2 had issued guidelines stating that all the solar products and systems should be installed only by the qualified solar installers empaneled by the Tamil Nadu Energy Development Agency (TEDA) and the fifth respondent allotted work order in favour of the petitioner. As per the work order, seven installment of solar power systems were duly completed and the fifth respondent also by its communication dated 13.10.2016 issued work completion certificate.

4. On perusal of the work completion certificate, it reveals that the works have been completed and handed over to the Department concerned and a sum of Rs.9,22,922/- excluding the subsidy portion which amounted to Rs.1,18,200/- paid to the petitioner. The certificate further revealed that subsidy amount at 15% of bench mark cost has been



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deducted from the estimate and the balance amount only paid to the petitioner. Therefore, the petitioner is eligible to receive the subsidy amount, which were already deducted from the amount payable to the petitioner. Therefore, the petitioner submitted representation to disburse the subsidy amount. However, the petitioner was informed that the subsidy for solar power water heater system under the Jawaharlal Nehru National Solar Mission was discontinued with effect from 01.10.2014, whereas in the work completion certificate dated 13.10.2016, the petitioner was informed that the subsidy amount of 15% has been deducted from the total amount to be payable by the petitioner. Therefore, though the petitioner is not entitled for subsidy under Jawaharlal Nehru National Solar Mission, whatever the amount already deducted from the cost, the petitioner is eligible to be received.

5. In view of the above, the respondents are directed to disburse a sum of Rs.1,18,200/- with applicable interest, within a period of two weeks from the date of receipt of copy of this order .



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6. With the above direction, this Writ Petition stands disposed of.

No costs.

09.01.2025

Internet : Yes/No
NCC : Yes / No
Index : Yes/No
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G.K.ILANTHIRAIYAN, J.

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Order made in
W.P.(MD)No.17242 of 2017

Dated:
09.01.2025
(1/2)