Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 45053 of 2026

CNR:{HCMA012644622026}

and

WMP No. 50548 OF 2026

Case QR

Timken Engineering and Research -
India Private Limited,
A company incorporated under the Companies Act, 1956
(CIN U74200KA1998PTC023894), having its
Registered Office at Sy.No.39(P), 41(P), Electronic City,
Phase II, Doddathogur Village, Begur Hobli,
Bangalore - 560100
And its Manufacturing Unit at :
Plot No.AA-3 , 6th Avenue, Mahindra World City,
P.O.Natham, Chengalpet, Tamil Nadu - 603 004,
Represented by its Authorised Signatory, Mr.Sudharsan G,
General Manager - Chennai Operations.

..Petitioner

Vs

1. Tamil Nadu Power Distribution Corporation
   Limited (TNPDCL)
   (formerly Tamil Nadu Generation and
   Distribution Corporation Limited
   (TANGEDCO)), NPKRR Maaligai,
   144, Anna Salai, Chennai - 600002
   Through the Chairman cum Managing Director.

2. The Superintending Engineer (I/C),
   Tamil Nadu Power Distribution Corporation
   Limited (TNPDCL),
   Chengalpattu Electricity Distribution Circle,
   Chengalpattu - 603002.

3. The Chief Financial Controller - Revenue,
   Tamil Nadu Power Distribution Corporation
   Limited (TNPDCL)

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NPKRR Maaligai, 144, Anna Salai,
Chennai - 600002.

4. Tamil Nadu Electricity Regulatory Commission,
Represented by its Secretary,
SIDCO Corporate Office Building, 4th Floor,
Thiru.Vi.Ka.Industrial Estate, Guindy,
Chennai - 600032.

5. The Government of Tamil Nadu
Represented by its Secretary to Government,
Energy Department, Fort St.George,
Chennai - 600009.

..Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to remove the lock and seal and allow the petitioner to operate the 1 MW Roof Top Solar Plant for captive consumption as per the petitioner's representation dated 29.09.2026, 14.10.2026 and 22.10.2026 and pass orders.

For Petitioner: Mr.Raghul Balaji
for Mr.Gautham S Raman

For Respondents: M/s.E.Karthikeyan
Standing Counsel [R1 to R5]

ORDER

Seeking to remove the lock and seal put on the Spring Charging Handle of Air Circuit Breaker connecting the Solar Plant installed in the petitioner’s manufacturing unit, the petitioner is before this Court.

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2. The brief facts that led to the filing of the above writ petition are herein below set out :

(a) The petitioner is a company incorporated under the Companies Act, 1956 and is engaged in Engineering Research and Manufacturing Activities.

(b) The petitioner holds High Tension Service Connection supplied by the first respondent, TNPDCL. Pursuant to its solar power purchase arrangement with the respondent-Corporation, the petitioner had set up its captive roof top solar plant in the year 2018 by TORP Systems Private Limited, and subsequently, it was novated to a company named Be Onsite Solar Energy Private Limited. This Be Onsite Solar Energy company is a part of Berkeley Energy Commercial Industrial Solutions [hereinafter called 'BECIS'], the developer of the petitioner's solar plant. Under this arrangement, the solar plant is owned and operated by BECIS on an operational expenditure basis and the petitioner had paid the BECIS for the energy generated and consumed by it.

(c) The petitioner would submit that the solar plant was set up to meet the captive consumption of the petitioner's unit. The solar plant was connected on the petitioner's internal load side, behind the high tension meeting point. Further, the plant is protected by reverse power relays that was installed on the HT incomer, to prevent any flow of

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energy from the solar plant into the grid. The energy generated by the solar plant is consumed within the petitioner's premises and the energy so generated was neither injected into, sold to, or credited by TNPDCL. Therefore, the petitioner would contend that the solar plant was designed and operated solely for the petitioner's own captive consumption and was never intended to operate parallelly with the grid.

(d) While so, on 10.12.2021, the officials of TANGEDCO, Chengalpattu, inspected the petitioner's premises, switched off and locked the solar plant without issuing any show cause notice. The lock and seal was on the ground that the power plant was operating without the permission of TANGEDCO / CEDC since November 2018. On the same day, the petitioner had submitted a letter to unlock and to resume the operation of solar plant. Thereafter, on 14.12.2021, based on the oral permission of the officials of TANGEDCO, the solar plant had resumed its operation.

(e) While so, on 28.09.2026, the Intelligence Wing of the Electricity Board (operated by TNPDCL) inspected the petitioner's premises and the officials have placed a physical seal on the Spring Charging Handle of the Air Circuit Breaker connecting the solar plant and stopped its operations. Thereafter, the petitioner had submitted their representations dated 29.09.2026, to remove the seal put up on the Air

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Circuit Breaker. However, without considering the request of the petitioner, the second respondent had issued a show cause notice on 09.10.2026 demanding the petitioner to pay a sum of Rs.96,17,539/- towards parallel operation / network charges for November 2018 to September 2026, within 15 days. This was objected by the petitioner vide its reply dated 14.10.2026. The second respondent thereafter issued the impugned notice on 17.10.2026, revising the demand to Rs.94,88,539/- . Aggrieved by the same, the petitioner had approached the second respondent with yet another representation dated 22.10.2026 requesting them to withdraw the show cause notice and to grant permission to operate the solar plant.

(f) Since no action is forthcoming from the respondents, the petitioner is before this Court.

3. The grievance of the petitioner is that at no point in time, the respondents have disputed that the solar plant is a captive plant nor had they alleged that the solar plant exports any energy to grid. Further, the contention of the petitioner is that the respondent without issuing any prior show cause notice, had sealed the solar plant. It is also contended by the petitioner that despite its repeated representations to the respondents to remove the impugned sealing and to permit the solar plant to operate, the same was not considered by the respondents. The solar plant remaining non-operational is causing serious

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and continuous loss to the petitioner approximately to a sum of Rs.5,00,000/- per month. Hence, he seeks the relief supra.

4. The learned Standing Counsel appearing for the respondents would submit that the petitioner have to obtain prior approval from the respondent-Corporation before operating the solar plant and that apart, the solar plant is connected to the grid. However, the learned counsel appearing for the petitioner would submit that the petitioner's solar plant is not connected to the grid.

5. Heard the learned counsel on either sides and also perused the materials placed on record.

6. Tamil Nadu Electricity Regulatory Commission has framed the regulations in exercise of powers conferred on them under Section 61(h) read with Section 86(1)(e) and Section 181 of the Electricity Act, 2003. Regulations provides for interconnectivity with the grid for standards and safety.

7. Regulation No.8.14 therein provides that Grid Connected Renewable Energy Generating System is connected behind the consumer's meter, and in case, the consumer does not opt for either Net Metering Arrangement or Net Billing Arrangement, the same shall be allowed only after a prior intimation to the respective Distribution Licensee. Regulation No.8.5 provides that where the

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Grid Interactive Solar PV Energy Generating System (GISS) plant is found running parallel to the supply system of the Distribution Licensee without approval, then the supply to the consumer can be disconnected giving a three day notice and the supply shall be restored only after the plant is isolated from the supply system of the licensee.

8. A reading of the above clearly indicates that where a plant is not connected to the meter or grid but running independently, and an intimation is received by the respondent-Board that the consumer is in violation, the authorities would thereupon inspect the premises. If upon inspection, they find a violation that the plant is unauthorisedly connected to the Distribution Supply System, then it is well open to the authorities to take action. Further, in the instant case it is admitted that neither a show cause notice was served on the petitioner nor was the petitioner heard, before the sealing of the Spring Charging Handle of the Air Circuit Breaker connecting the petitioner's Solar Plant. It is also seen that a similar exercise of lock and seal was done in the petitioner's solar plant in December 2021 and thereafter, it was reversed by the second respondent by unlocking the solar plant and permitting the petitioner to resume its operation. Further, from a reading of the Regulations, it throws light that for running a solar plant for personal consumption, no prior approval is required and what is contemplated is only to provide an information to the authorities. In the instant case, the respondent-Board is very much aware about

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the existence of the said plant. Therefore, taking note of the fact that the sealing has been done without notice, by flouting the principles of natural justice, the writ petition is disposed of with a direction to de-seal the plant and restore the connection forthwith, and the respondents shall thereafter conduct a joint inspection within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

04-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To:

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   Tamil Nadu Power Distribution Corporation Limited (TNPDCL)
   (formerly Tamil Nadu Generation and Distribution
   Corporation Limited (TANGEDCO)),
   NPKRR Maaligai, 144, Anna Salai,
   Chennai - 600002

2. The Superintending Engineer (I/C),
   Tamil Nadu Power Distribution Corporation Limited (TNPDCL),
   Chengalpattu Electricity Distribution Circle
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4. The Secretary
   Tamil Nadu Electricity Regulatory Commission,
   SIDCO Corporate Office Building, 4th Floor,
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5. The Secretary to Government
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