

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

W.A. No.1476 of 2015 and M.P. Nos.1 & 2 of 2015

A. Mariadoss

Appellant/Petitioner

vs.

- 1 The Chairman
Tamil Nadu Generation and Distribution
Corporation Ltd.
NPKRR Maaligai
No.144, Anna Salai
Chennai 600 002
- 2 The Assistant Engineer (O & M)
New Washermanpet
TNEB/CEDC/North
Chennai 600 081
- 3 The Executive Engineer
Tamil Nadu Electricity Tondiarpet Circle
TNEB/CEDC/North
805 T.H. Road
Tondiarpet, Chennai 600 081
- 4 The Assistant Engineer (O & M)
Tondiarpet, TNEB/CEDC/North
Chennai 600 081

Respondents/Respondents

Writ Appeal preferred under Clause 15 of the Letters Patent challenging the order of this court dated 24.06.2015 passed in W.P. No.18073 of 2015.

W.P.No.18073/2015:- Writ Petition filed under Article 226 of the constitution of India to issue a writ of Mandamus forbearing the respondents from demanding maximum demand penalty in respect of service connection No.003-002-630-Tariff-III B installed at the premises Old No.279 M2 New No.90/3, Suryanarayana Street, Kasimdu Fishing Harbour, Royapuram, Chennai - 600 013.

For appellant Dr. G. Krishnamurthy

For respondents Mr. P.R. Dhilipkumar

JUDGMENT

(delivered by SATISH K. AGNIHOTRI, J.)

This intra-Court appeal is directed against the order dated 24 June 2015 rendered in W.P. No. 18073 of 2015.

2 The aforestated writ petition was filed by the appellant seeking a writ of mandamus forbearing the respondents from demanding maximum demand penalty of Rs.13,47,231/- in respect of his service connection.

3 The learned Single Judge disposed of the writ petition directing the appellant to pay a sum of Rs.3,00,000/- towards the first instalment within a period of one week from the date of receipt of a copy of the order. The remaining amount of Rs.10,47,231/- was directed to be paid in instalments at the rate of Rs.1,00,000/- per month, with the last instalment being Rs.1,47,231/-.

4 Aggrieved by the aforesaid order, the instant intra-Court appeal has been preferred by the writ petitioner.

5 The appellant's only grievance in this appeal is that the time granted by the learned Single Judge to pay the first instalment of Rs.3,00,000/- is too short. Thus, some more time may be granted to the appellant to pay the first instalment.

6 The learned Standing Counsel appearing for the respondents submits that the dis-connected electricity connection will be restored only on payment of the first instalment.

7 Recording the aforestated submission of the learned Standing Counsel for the respondents, we grant two weeks' time from today to the appellant to pay the first instalment of Rs.3,00,000/- and thereafter, the appellant shall continue to pay the remaining instalments, as directed by the learned Single Judge.

8 This intra-Court appeal stands disposed of with the above observations. No costs. Connected Miscellaneous Petitions are closed.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

cad

To

1 The Chairman
Tamil Nadu Generation and Distribution
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2 The Assistant Engineer (O & M)
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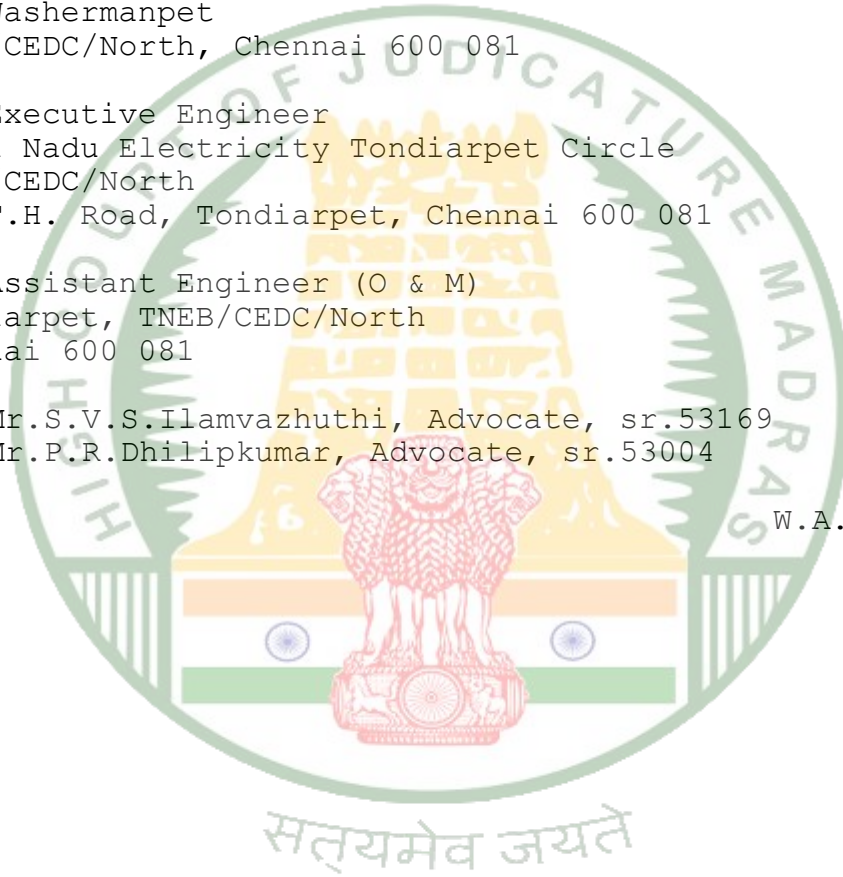
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+1 cc to Mr.S.V.S.Ilamvazhuthi, Advocate, sr.53169
+1 cc to Mr.P.R.Dhilipkumar, Advocate, sr.53004

W.A. No.1476 of 2015

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