

W.P.No.1606 of 2015 &
M.P.No.1 of 2015

M.DURAI SWAMY,J

At the instance of the learned counsel appearing for the petitioner, the matter has been listed under the caption for "Being Mentioned".

2. By order dated 11.03.2015, this court disposed of the writ petition by permitting the petitioner to pay the outstanding amount of Rs.61,98,958/- in three three equal monthly installments commencing from 1.4.2015. In paragraph No.4 of the order, it has been stated that the petitioner is liable to pay a sum of Rs.76,18,958/- [Rs.45,12,799/- + Rs.31,06,159/-] and out of this amount, the petitioner paid a sum of Rs.15,00,000/- as per the conditional order in the writ petition on 23.1.2015. If this amount of Rs.15,00,000/- is deducted from the total demand made by the respondents, the balance comes to Rs.61,18,958/-.

3. Now, it is brought to the notice of this court that the sum of Rs.61,18,958/- mentioned in the demand includes a sum of Rs.17,25,920/- towards harmonics charges, which is under challenge in W.P.No.167 of 2015. This court, by order dated 7.1.2015 in M.P.Nos.1 and 2 of 2015 in W.P.No.167 of 2015, granted an order of interim stay and interim injunction in respect of harmonic charges demanded by the

respondents on condition that the the petitioner paying 25% of the harmonics charges. Pursuant to the orders of this court, the petitioner had deposited a sum of Rs.4,31,480/- on 19.01.2015.

4. Mr.G.Vasudevan, learned counsel appearing for the petitioner submitted that since the harmonics charges demanded by the respondent is under challenge in W.P.No.167 of 2015, the said amount has to be deducted from the amount payable by the petitioner.

5. Mr.Varun Kumar, learned Standing Counsel appearing for the respondents also fairly submitted that the demand towards harmonic charges is the subject matter in W.P.No.167 of 2015. Hence, if the said amount of Rs.17,25,920/- is deducted from Rs.61,18,958/-, the balance comes to Rs.43,93,038/-.

6. Having regard to the submissions made by the learned counsel on either side, after deducing a sum of Rs.17,25,920/- from Rs.61,18,958/-, the petitioner is liable to pay a sum of Rs.43,93,038/-. As already stated, the petitioner is permitted to pay this amount of Rs.43,93,038/- in 3 equal monthly installments commencing from 1.4.2015. It is needless to state that the respondent-Electricity Board is entitled to recover the outstanding amount together with belated payment charges payable by th petitioner.

7. The Registry is directed to carry out the amendment in the order and issue fresh order copy to the learned counsel on either side. In all other aspects the order dated 11.03.2015 passed in the above Writ petition shall remain unaltered.

24.03.2015

Note : Issue copy of the order
by 25.03.2015

Rj

M.DURAISWAMY,J.

Rj

W.P.No.1606 of 2015 &
M.P.No.1 of 2015

24.03.2015