

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.06.2016

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P. No.20002 of 2016
& W.M.P.No.17232 of 2016

Govaan Steel [P] Ltd.,
HTSC No.229, S.F.No.544/1, 2, 3
Sengalipalayam Pirivu,
Chinnakanur [PO],
Kanur Village, Annur - 641 655.
Rep.its Authorised Signature G.Sekar ... Petitioner

Vs.

- 1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai, Chennai - 600 002.
- 2.The Superintending Engineer,
Tiruppur Electricity Distribution Circle [N].
Tamil Nadu Generation and Distribution
Corporation Limited [TANGEDCO],
Tiruppur. ... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to permit the petitioner to pay the arrears of Rs.3,59,26,492/- in 12 equal monthly installments along with restoration charges and other charges and restore supply on payment of the first installment.

For Petitioner : Mr.S.P.Parthasarthy

For Respondents : Mr.S.K.Rameshuwar
TNEB

O R D E R

This order is required to be passed by this Court in the cause of justice as the petitioner's Company has become sick and steps are being taken to revive the Company by availing loan from Bank. Moreover 150 employees are to get employment, necessarily an extraordinary relief has to be given. The giving of this

relief in this peculiar circumstances of this case cannot be a precedent for other cases.

2.The petitioner is an Industry manufacturing steel products for local markets and giving employment opportunities to several poor people. Though the Industry was doing very well in the beginning and due to various problems the Company could not run and it become sick. Now, the petitioner is taking steps to revive the Company by raising Bank loan. In the meanwhile, the second respondent issued demand notice calling upon the petitioner to pay Rs.3,59,26,492/- towards current consumption charges in respect of HTSC No.229 and seeking permission to pay the said amount in installments only, the petitioner has come before this Court.

3.Heard Mr.S.P.Parthasarthy, learned counsel appearing for the petitioner and Mr.S.K.Rameshuwar, learned counsel appearing for the respondents.

4.There is no dispute with regard to the amount demanded as current consumption charges. The only plea made by the learned counsel for the petitioner is that the amount is to be paid in installments as the Company has not yet started functioning. However, Mr.S.K.Rameshuwar, learned counsel for the respondents would submit that as a pre-condition for reconnection atleast 50% amount is required to be deposited.

5.Though the contention of Mr.S.K.Rameshuwar is reasonable, taking into consideration the revival of the Company after become sick Industry and that steps are being taken by the petitioner to revive the Company and further that the Industry has not yet started function, it is appropriate to give a helping hand to the petitioner's Company to restart the business, this Court is of the view that by directing the respondents to accept the payment in installments, no prejudice is going to cause to the respondents, on the other hand it will benefit to a larger extent to the petitioner to revive the Company.

6.In view of the above reasons, the petitioner is directed to pay a sum of Rs.75,00,000/- [Rupees Seventy Five Lakhs only] within a period of one week from the date of receipt of a copy of this order. After deposit of Rs.75,00,000/-, the respondents are directed to give reconnection forthwith. The balance amount of Rs.3,59,26,492/- is required to pay in 10 equal monthly installments apart from current consumption charges.

7.With the above directions, the Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

- 1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai, Chennai - 600 002.
- 2.The Superintending Engineer,
Tiruppur Electricity Distribution Circle [N].
Tamil Nadu Generation and Distribution
Corporation Limited [TANGEDCO],
Tiruppur.

+1cc to M/S.R.S.Pandiyaraj, Advocate SR.32160
+1cc to M/S.S.K.Rameshuwar, Advocate sr.32221

W.P. No.20002 of 2016

ala[co]
srg 11/07/2016

सत्यमेव जयते
WEB COPY