

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. No.21309 of 2016

T.R.K.TEXTILE (INDIA) PRIVATE LTD.

HTSC NO.436 D.NO.3/150,

SUKKITTIPALAYAM ROAD, OLAPALAYAM (POST)

KANGEYAM, TIRUPUR.

REP. BY ITS AUTHORIZED SIGNATORY

MR.A.RATHINAKUMAR

.... PETITIONER

Vs

1. THE CHAIRMAN

TAMILNADU GENERATION AND DISTRIBUTION

CORPORATION LTD.,

144 ANNA SALAI, CHENNAI - 2.

2. THE SUPERINTENDING ENGINEER

TIRUPPUR ELECTRICITY DISTRIBUTION CIRCLE

19A-19B JOTHNAGAR, PERUMANALLUR ROAD,

TIRUPUR.

.... RESPONDENTS

PRAYER : Writ petition filed under Article 226 of the Constitution of India for issue of writ of mandamus directing the 2nd respondent to permit the petitioner to pay the additional security deposit of Rs.8,69,173/- alone in 10 equal monthly instalments alongwith the regular current consumption charges.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents: Mr.S.K.Rameshuwar
for TNEB

O R D E R

By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner is a limited company registered under the Companies Act having HT Service Connection bearing No.436 from the second respondent for the purpose of manufacturer of yarn products for local markets. The second respondent, by letter

dated 25.04.2016, demanded additional security deposit of Rs.8,69,173/-, over and above the existing deposit of Rs.90,53,937/- in one lumpsum. To pay the said additional security deposit in equal instalments, the petitioner has approached this Court by way of this writ petition.

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

4. In an identical situation, this court, in W.P.No.15431 of 2015 dated 02.06.2015, following the Division Bench judgment of this Court in Tamil Nadu Electricity Board Vs. Mani Spinning Mills (P) Limited, reported in CDJ 2012 MHC 4380 [W.A. (MD) Nos.407 to 412 of 2012 dated 02.08.2012] permitted the petitioner therein to pay the additional security deposit in six equal monthly instalments alongwith regular current consumption charges. Since the issue involved in this case is an identical one and the payment is also with respect to additional security deposit, following the above said judgment, this Court is inclined to grant the relief to the petitioner to pay the additional security deposit in six equal monthly instalments.

5. In the result, this writ petition is disposed of with a direction to the petitioner to pay the additional security deposit of Rs.8,69,173/- in six equal monthly instalments alongwith regular current consumption charges, commencing from 2nd week of July 2016, failing which it is open to the respondents to initiate appropriate action, in accordance with law. No costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

rgr

To

1. THE CHAIRMAN

TAMILNADU GENERATION AND DISTRIBUTION
CORPORATION LTD., 144 ANNA SALAI, CHENNAI - 2.

2. THE SUPERINTENDING ENGINEER

TIRUPPUR ELECTRICITY DISTRIBUTION CIRCLE
19A-19B JOTHNAGAR, PERUMANALLUR ROAD, TIRUPUR.

1 cc to Mr.R.S.Pandiraj, Advocate, sr.34543

W.P. No.21309 of 2016

ksj co

kra 28.06.2016