



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.05.2016

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.(MD)No.9050 of 2016

M/s.Sri Shanmugavel Mills (P) Ltd.,
HT SC No.32
Thadicombu, Dindigul-624 709
by its Managing Director P.S.Veluswamy

... Petitioner

vs.

1.The Chairman
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai-600 002

2.The Superintending Engineer
Dindigul Elect.Distribution Circle
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO)
Dindigul

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to permit the petitioner to pay the Additional Security Deposit of Rs.96,84,016/- alone in 10 equal monthly instalments along with the regular current consumption charges.

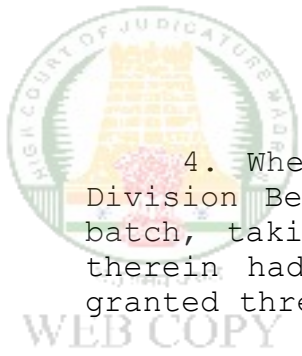
For Petitioner : Mr.R.S.Pandiyaraj
For Respondents : Mrs.S.Srimathy
for Mr.S.M.S.Johny Basha

O R D E R

The petitioner has filed this writ petition for issuance of writ of mandamus, directing the second respondent to permit the petitioner to pay the additional security deposit of Rs.96,84,016/- alone in ten equal monthly instalments along with the regular current consumption charges.

2. The petitioner is a private limited company and has been granted a HT service connection coming under the control of the second respondent. The petitioner has been issued a demand notice for payment of additional security deposit. The petitioner is willing to pay the amount and seeks permission to pay the same in ten equal monthly instalments.

3. The learned standing counsel for the respondents strongly objected to grant the relief sought for by the petitioner and submitted that in terms of rules, the additional security deposit could be paid in three equal monthly instalments.



4. When an identical issue came up for consideration, the Hon'ble Division Bench of this Court, in W.A.(MD) Nos.407 and 408 of 2012 etc. batch, taking note of the fact that the respondents / writ petitioners therein had already paid three instalments, by order dated 02.08.2012, granted three more instalments to pay the remaining amount.

5. In the light of the order passed by the Hon'ble Division Bench of this Court, permitting the consumer to pay the additional security deposit in six equal instalments, this Court is of the view that similar benefit could be extended to the petitioner also.

6. The writ petition is disposed of by directing the second respondent to accept the payment of additional security deposit from the petitioner in six equal monthly instalments along with regular current consumption charges commencing from June 2016. No costs.

Sd/
Vacation Officer.

/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
Dindigul Elect.Distribution Circle
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO)
Dindigul

+1CC to M/S. R.S.Pandiaraj, Advocate, SR.No. 25872
+1CC to M/S. S.M.S.Johnny Basha, Advocate, SR.No. 25964

W.P.(MD)No.9050 of 2016

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(7/18)

AM/JGB.SS/10.05.2016/2P/5C