

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2017

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

Writ Petition No.10880 of 2017
and
W.M.P.No.11823 of 2017

Kevin Steels Pvt. Ltd., rep. by its
Director S.Thirunavukarasu ... Petitioner

vs.

1. Superintending Engineer,
Chennai E.D.C./North,
No.800, Anna Salai,
Chennai - 2.

2. Divisional Engineer,
Chennai C.E.D.C./North,
Ponneri.

.... Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for a Writ of certiorarified mandamus to call for the records of the impugned letter dated 12.04.2017 bearing in LR.No.SE/CEDC/N/AO/RIAAO/HT/D2711/2075 of the first respondent and quash the same and further direct the first respondent not to insist upon the payment of additional security deposit of Rs.1,87,46,386/-.

For Petitioner : Mr.GRM.Palaniappan
For Respondents : Mr.Manishankar,
Addl. Advocate General
assisted by
Mr.P.R.Dhilip Kumar

ORDER

The petitioner has challenged the order by which the adequacy of existing security deposit of HT SC No.1999 was reviewed by requiring the petitioner to pay the additional security deposit.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General appearing for the respondents.

3.Learned counsel appearing for the petitioner would submit that a huge sum has been claimed without any basis.

4.Learned Additional Advocate General, on instructions, would submit that the said exercise has been done as per the Regulation 5(5) of the Tamil Nadu Electricity Supply Code and Tariff Orders. It is fixed based upon the consumption for the previous year by the petitioner. Therefore, if the consumption is high, the consumer will have to pay higher security deposit and if it is low, then the tariff will be reduced. Since the petitioner has consumed higher electricity, the impugned order has been passed by way of review of adequacy of security deposit. Thus the additional security deposit was asked for.

5.Considering the above, this Court does not find any error in the order passed. The order has been passed, based upon the regulations. However, taking into consideration the fact that huge amount is demanded against the petitioner by way of additional security deposit, this Court is inclined to permit the petitioner to make the payment in four monthly instalments starting from the month of May 2017 and ending in the month of August 2017. It is made clear that if the petitioner commits default in complying with the condition, it is open to the respondents to proceed further. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Superintending Engineer,
Chennai E.D.C./North,
No.800, Anna Salai, सत्यमेव जयते
Chennai - 2.
2. The Divisional Engineer,
Chennai C.E.D.C./North,
Ponneri.

+1cc to Mr.I.Joseph, Advocate, S.R.No.25843

+1cc to Mr.P.R.Dhilip kumar, Advocate, S.R.No.25554

W.P.No.10880 of 2017

ks(co)
rmp(08/05/17)