

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.05.2017

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.11500 of 2017

M/S.SONAL VYAPAR (P) LIMITED

HTSC NO.202,

110/2, NATTAMANGALAM MAIN ROAD

MANIYANUR, SALEM 636 010

REP BY ITS DIRECTOR R.RAJASEKARAN

... PETITIONER

Vs

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

2. THE SUPERINTENDING ENGINEER
SALEM ELECTRICITY DISTRIBUTION CIRCLE
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION LIMITED (TANGEDCO)
SALEM.

... 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.21,93,536/- alone in 12 equal monthly instalments along with 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.202 from the second respondent for the purpose of manufacturer of steel products. The second respondent, by letter dated 25.04.2017, demanded additional security deposit of Rs.21,93,536/- over and above the existing deposit of Rs.2,36,37,774/- in one lump sum. To pay the said additional security deposit in equal installments, 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 standing counsel appearing on behalf of 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 installments along with 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 installments.

5. In the result, this writ petition is disposed of with a direction to the petitioner to pay the additional security deposit of Rs.21,93,536/- in six equal monthly installments along with regular current consumption charges, commencing from 1st week of June 2017, failing which it is open to the respondents to initiate appropriate action, in accordance with law. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

pgp

To

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

2. THE SUPERINTENDING ENGINEER
SALEM ELECTRICITY DISTRIBUTION CIRCLE
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION LIMITED (TANGEDCO)
SALEM.

+1cc to Mr.R.S.Pandiyaraj, Advocate, S.R.No.36776

W.P.No.11500 of 2017

kji(co)
rmp(09/05/17)



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