

In the High Court of Judicature at Madras

Dated : 21.7.2017

Coram :

The Honourable Mr.Justice NOOTY.RAMAMOHANA RAO

and

The Honourable Mr.Justice M.DHANDAPANI

Writ Appeal No.821 of 2017 & CMP.No.11445 of 2017

Kevin Steels Pvt. Ltd., rep.by
its Director S.Thirunavukkarasu ...Appellant

Vs

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

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

...Respondents

APPEAL under Clause 15 of the Letters Patent against the
order dated 27.4.2017 made in W.P.No.10880 of 2017.

WP.No.10880 of 2017: Writ Petition filed under Art 226 of the
Constitution of India praying for a Writ of Certiorarified
Mandamus to call for the records of 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 Addl. Security deposit of Rs.1 87 46 386/- and issue
any other writ order or direction

For Appellant : Sri.Thangasivan for
Sri.R.Diwakaran
For Respondents : Sri.P.R.Dilipkumar

JUDGMENT

(Judgment was delivered by NOOTY.RAMAMOHANA RAO,J)

Heard the learned counsel for the appellant as well as the
learned Standing Counsel for the respondents.

2. Though a very sincere attempt is made to persuade us to take a different view than the one, which was taken by the learned Single Judge, ultimately, a sincere request is made to extend the time limit by a reasonable length of time for making the payment of the balance instalments. We have agreed to consider this request of the learned counsel for the appellant in view of the difficulties experienced by the appellant as narrated by them and also importantly in view of the fact that the appellant has already paid the first two instalments and two more instalments are only due and payable.

3. Hence, we extend the time limit till 31.10.2017 for making the balance payment of two instalments. It is open, however, to the appellant to make monthly payment from now on, which would liquidate the entire demanded amount latest by 31.10.2017. We also make it further clear that it is open to the appellant to draw a detailed representation showing the cause as to why the demand is invalid and unsustainable. Let any such representation be entertained, if submitted before 31.10.2017. But however, consideration of any such representation be deferred for a period beyond 31.10.2017. Upon payment of the balance amount only, any representation submitted by the writ petitioner - appellant be taken up for consideration as promptly as is possible, at any rate, within a period of 15 days from the date of clearing the entire dues and in case it is found that there was an error unintentionally committed in computing the amount demanded, the payments made by the writ petitioner - appellant be adjusted against the future consumption charges instead of refunding the same to the appellant.

4. With the above directions, the writ appeal stands disposed of. No costs. Consequently, the above CMP is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

rs

To

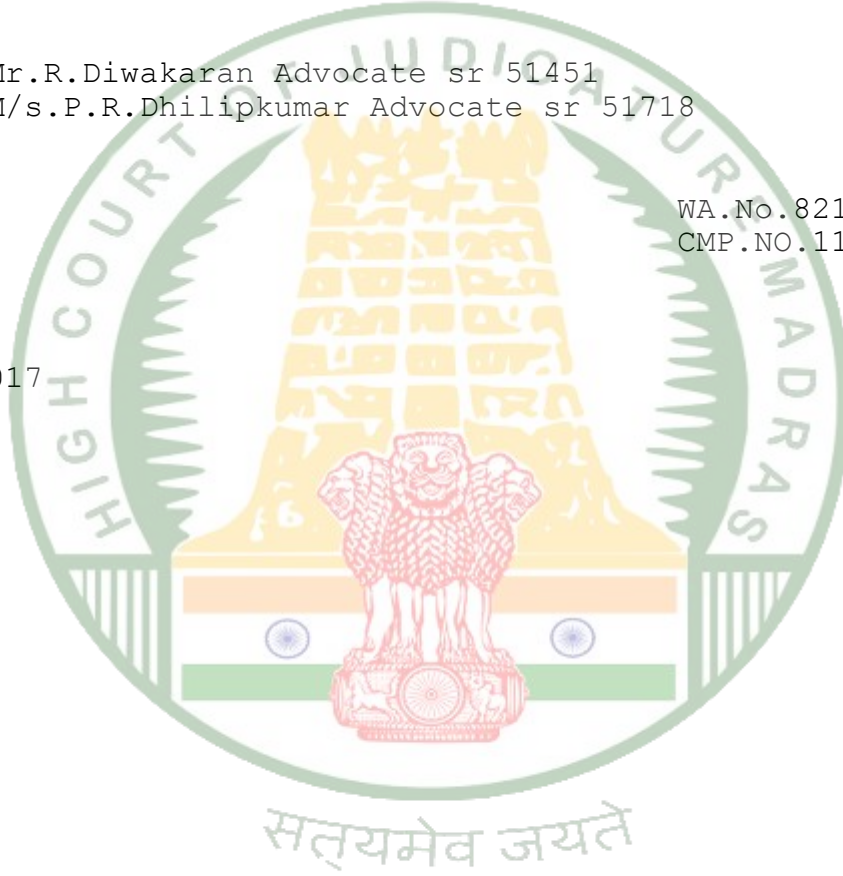
1.The Superintending Engineer,
Chennai E.D.C./North, No.800,
Anna Salai,
Chennai-2.

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

+1 cc to Mr.R.Diwakaran Advocate sr 51451
+1 cc to M/s.P.R.Dhilipkumar Advocate sr 51718

WA.No.821 of 2017 &
CMP.NO.11445 of 2017

ks(co)
aa03/08/2017



WEB COPY