

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.05.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.12953 of 2017

M/s.Athi Sivan Steels (P) Ltd., HTSC No.572,
No.622/1, Varapatty Village,
Palladam Taluk-641 402,
Coimbatore District,
represented by its Marketing Executive
S.Habeeer Rahman .. Petitioner

Vs

- 1.The Chairman and Managing Director,
TANGEDCO,
144, Anna Salai,
Chennai-600 002.
- 2.The Superintending Engineer,
Coimbatore Electricity Distribution Circle/South,
TANGEDCO, TATABAD,
Coimbatore-641 012. .. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the second respondent to permit the petitioner to pay the Additional Security Deposit of Rs.12,34,812/- in 10 monthly instalments along with the regular current consumption charges for its H.T.Service Connection No.572, M/s.Athi Sivan Steels (P) Ltd.

For Petitioner : Mr.K.Seshadri

For Respondents : Mr.Rameshwar

ORDER

This writ petition is filed to direct the second respondent to permit the petitioner to pay the Additional Security Deposit of Rs.12,34,812/- alone in 10 equal monthly instalments along with the regular current consumption charges.

2.In the affidavit filed in support of this writ petition, it is stated that the petitioner industry is involved in the manufacture of steel ingots and is having HT service connection bearing No.572 coming under the second respondent. The

petitioner has already deposited a sum of Rs.1,36,91,878/- as security deposit to the respondent-Electricity Board. As per Regulation 5(5)(ii)(a) of the Tamil Nadu Electricity Supply Code, 2004, the Security Deposit (CCD) should be two times of the average of the electricity charges for the preceding twelve months prior to April for the monthly billed consumers, like that of the petitioner. It is stated by the petitioner that the second respondent, vide letter dated 25.04.2017, has directed the petitioner to pay a sum of Rs.12,34,812/- over and above the existing deposit of Rs.1,36,91,878/- in one lump sum, failing which the petitioner's electricity supply would be disconnected. It is contended by the petitioner that since there is poor market conditions for the steel products in the State of Tamil Nadu and there is acute shortage of raw materials, the petitioner is not in a position to pay the said amount in one lumpsum. But the respondents are threatening to disconnect the power supply, if the additional security deposit is not paid. Hence this writ petition.

3.The learned counsel for the petitioner has submitted that since considerable amount is already available with the respondents as security deposit, and the petitioner-industry is struggling for survival due to severe power cut, shortage of raw materials and poor marketing conditions, the additional security deposit may be allowed to be paid in instalments along with the regular current consumption charges on the due dates.

4.Mr.Rameshwar, learned counsel, took notice for the respondents.

5.Upon hearing the submissions made on either side and also considering the submission made by the learned counsel for the petitioner that the petitioner-industry is struggling for survival due to severe power cut, acute shortage of raw materials and poor market conditions, the petitioner is permitted to pay the additional security deposit of Rs.12,34,812/- to the second respondent, in six equal monthly instalments. The first instalment shall be paid on or before 10.06.2017 and rest of the instalments shall be paid on or before 5th of every succeeding month. In case of any default in payment of the instalments as directed, the respondents are at liberty to proceed against the petitioner in accordance with law.

6.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KM

To

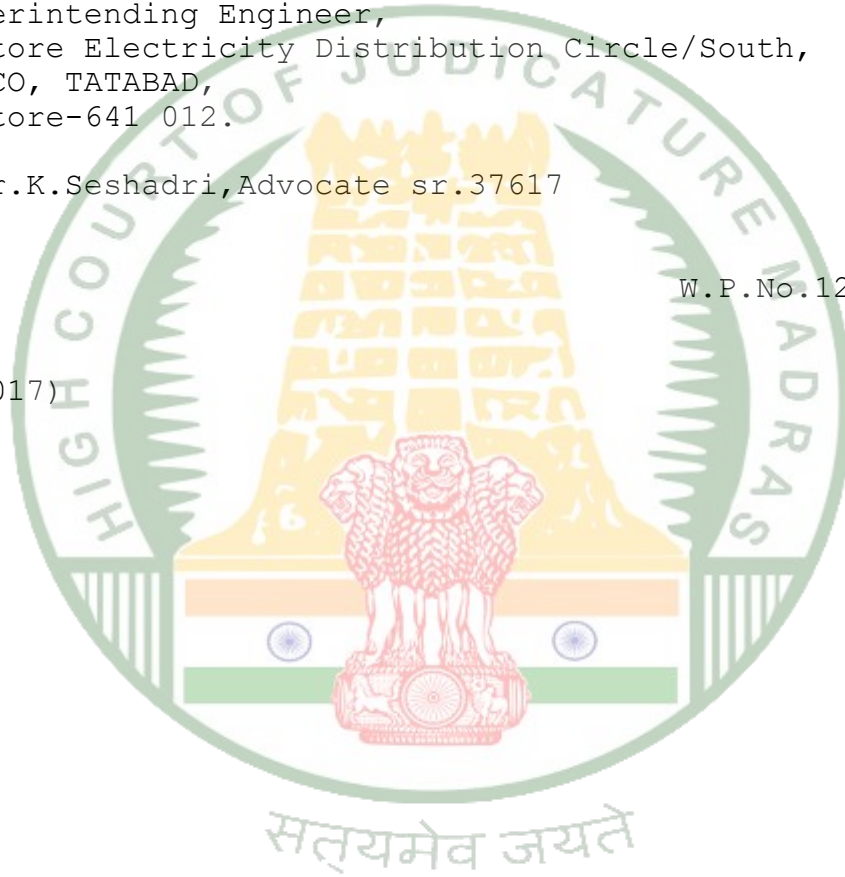
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+lcc to Mr.K.Seshadri,Advocate sr.37617

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ss(24/5/2017)



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