



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 06.07.2017
CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

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W.P. (MD) No.12509 of 2017
and
W.M.P. (MD) No.9649 of 2017

Everest Steel Rolling Mills, HTSCNo.91
S.F.No.471/4&5, Aravakuruchi Taluk,
Velanchettiyur Post, Karur - 639 207.
Repd. its Authorised signature G.Velmurugan .. Petitioner

Versus

1. The Chairman,
TANGEDCO,144, Anna Salai,
Chennai - 600 002.
2. The Superintending Engineer,
Karur Elec. Distribution Circle,
Tamil Nadu Generation And Distribution
Corporation Limited (TANGEDCO),Karur. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to permit the petitioner to pay the arrears of Rs.47,72,784/- in 10 equal monthly instalments along with restoration charges and other charges and restore supply on payment of the 1st installment.

For Petitioner : Mr.R.S.Pandiyaraj
For Respondents : Ms.S.Srimathi
for S.M.S.Johny Basha, TNEB

O R D E R

Ms.S.Srimathi for Mr.S.M.S.Johny Basha, learned Standing Counsel takes notice for the respondents. By consent, the Writ Petition is taken up for final disposal.

2. The petitioner is a private limited company registered under the Companies Act, 1956, and running their industry with HT Service Connection bearing No.91, which comes under the control of the Superintending Engineer, Karur Electricity Distribution Circle, the second respondent herein and also manufacturing steel products for local Markets and thus, giving employment opportunities to several hundreds of rural people.

3. The learned counsel for the petitioner stated that due to



heavy loss, the petitioner's company is unable to pay the Current Consumption charges for the months of March, April and May 2017. Therefore, they suffered disconnection of electricity service connection. During the disconnection period, the petitioner's security deposit was reviewed and a sum of Rs.3,10,622/- was found liable to be paid by the petitioner.

4. In view of huge outstanding amount of Rs.47,72,784/-, they are unable to mobilise the funds. However, since the Regulation 22 (4) of the Tamil Nadu Electricity Supply Code contemplates payment of outstanding arrears of electricity payment in 10 equal monthly installments, a representation was given by the petitioner on 19.06.2017 to the respondents seeking permission to clear the balance amount within 10 equal instalments. However, there is no response to the said representation and therefore, the petitioner is before this Court with the above prayer.

5. Further, the learned counsel for the petitioner referred to similar order passed by this Court, in the case of **Raja Rajeswari Mills Private Ltd., v. The Chief Engineer (Distribution) and others** in **W.P.(MD). No.7207 of 2017, dated 20.04.2017**. He has further submitted that he has prepared to pay 40% of the amount within a month and the balance amount will be paid in 10 equal monthly installments.

6. The learned counsel appearing for the respondents submitted that if the petitioner is prepared to pay 40% of the total outstanding amount within a week and the balance amount will be paid within 10 equal monthly installments, there would be no difficulty.

7. In view of the above submissions, the respondents are directed to restore the electricity service connection of the petitioner's company on deposit of 40% of the total outstanding amount, which shall be paid by the petitioner within a period of one week from the date of receipt of a copy of this order and thereafter, the petitioner shall be permitted to clear the balance 60% of the outstanding amount within 10 equal monthly installments, which will commence from the first week of August, failing which, it is open to the respondents to take action in accordance with law.

8. With the above directions, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

/True copy/



To

1. The Chairman,
TANGEDCO, 144, Anna Salai,
Chennai - 600 002.

WEB COPY

2. The Superintending Engineer,
Karur Elec. Distribution Circle,
Tamil Nadu Generation And Distribution
Corporation Limited (TANGEDCO), Karur.

+1 CC to M/s.R.S.PANDIYARAJ, Advocate, SR No. 63818/2017.

+1 CC to M/s.S.M.S.JOHNNEY BASHA, Advocate, SR No. 63649/2017

IA/RR

PSM/SKN-RSK/SAR4/19.07.2017/3P/5C

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