



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :11.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P(MD)No.18939 of 2017

and

WMP(MD) .No.15287 of 2017

M/s.Subburaj Spinning Mills Private Limited,
Represented by its Director R.Ragavan,
HT SC No.181,
Madurai Raod, Sankar Nagar,
Tirunelveli - 627 357.

.. Petitioner

Vs.

1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
Tirunelveli Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation Limited, TANGEDCO,
Tirunelveli.

.. Respondents

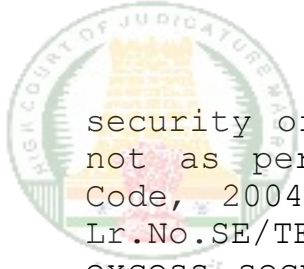
PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance a writ of Mandamus, directing the second respondent to refund the excess security credit of Rs.80,04,201/- along with eligible interest as per the proceedings of the second respondent in Lr.No.SE/TEDC/TIN/AO/R/HT/D 316/2017, dated 20.04.2014 by Considering the representation dated 25.09.2017 filed by the petitioner within the time as may be fixed by this Court.

For Petitioner	: Mr.N.Sudalaimuthu
For Respondents	: Mr.G.Kasinathadurai

ORDER

This writ petition is filed seeking a writ of Mandamus, directing the second respondent to refund the excess security credit along with interest as per the proceedings of the second respondent in Lr.No.SE/TEDC/TIN/AO/R/HT/D 316/2017, dated 20.04.2014.

2.The learned counsel appearing for the petitioner would submit that the petitioner mills is a manufacturer of paper and boards having high tension electricity supply in H.T.S.C.No.1814. The petitioner has deposited Rs.1,58,89,051/- as security with the second respondent. According to the petitioner adequacy of the



security of deposit has to be reviewed as per the Tariff order and not as per Regulation 5(5) of the Tamil Nadu Electricity Supply Code, 2004. However, the second respondent issued proceedings in Lr.No.SE/TEDC/TIN/AO/R/HT/D 316/2017, dated 20.04.2014, stating that excess security deposit of Rs.1,01,40,08/- available in the credit of the petitioner and the same would be adjusted in the future current consumption bill or would be refunded with eligible interest. Hence, the petitioner sent a representation dated 25.09.2017, requesting to refund the excess security deposit. However, the same has not been considered by the respondents. So, the petitioner is before this Court, seeking direction to the respondents to refund the excess security deposit.

3.The learned Special government Pleader appearing for the respondents would submit that the application of the petitioner would be considered on merits, within the time stipulated.

4.Considering the limited scope of the relief sought, this Court, without going into the merits of the case, directs the respondents to consider the application of the petitioner, dated 25.09.2017 and pass appropriate orders, on its own merits and in accordance with law as well in line with the proceedings in Lr.No.SE/TEDC/TIN/AO/R/HT/D 316/2017, dated 20.04.2014, after affording due opportunity of hearing, within a period of four weeks from the date of receipt of a copy of this order.

5.With the above directions, the writ petition is disposed of. No Cost. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
Tirunelveli Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation Limited, TANGEDCO,
Tirunelveli.

+1cc to M/s. G.KASINATHA DURAI Advocate in SR. No. 82597

+1cc to M/s. N.SUDALIMUTHU Advocate in SR. No. 82364

DSK

JS/JC/SAR.2/24.10.2017/2P-5C

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ORDER MADE IN
W.P (MD) No.18939 of 2017
11.10.2017