



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2017

CORAM:

THE HONOURABLE Mr.JUSTICE S.S.SUNDAR

W.P. (MD) .No.8699 of 2017

and

W.M.P. (MD)No.6600 of 2017

Sree Vishnu Annamalayar Paper Mills Ltd.,
Rep.by its Managing Director,
K.RA.G.Saravanan,
9/4/52, Valmeegi Street,
Sriram Nagar,
Kottaiyur, Karaikudi Taluk,
Sivagangai District.

...Petitioner

Vs.

1.The Chairman,
TANGEDCO,
144,Anna Salai,
Chennai.

2.The Superintending Engineer,
TANGEDCO,
Sivagangai Electricity Distribution Circle,
Sivagangai District.

3.The Assistant Executive Engineer/Distn/O & M,
TANGEDCO,
Sivagangai Electricity Distribution Circle,
Sivagangai District.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to grant time till 20.05.2017 for the payment of Rs.27,27,110/- towards the electricity consumption charges for the month of March 2017, by Sree Vishnu Annamaliyar Paper Mills Ltd., at VEDIYANGUDI Village, Pudhuvayal (via), Karaikudi Taluk, Sivagangai District and further not to disconnect the same till 20.05.2017 based on the representation dated 24.04.2017.

For Petitioner

: Mr.M.Linga Durai

For Respondent

: Mr.S.M.S. Johny Basha

**ORDER**

This Writ petition has been filed by the petitioner to direct the respondents to grant time till 20.05.2017 for the payment of Rs.27,27,110/- towards electricity consumption charges for the month of March 2017 and further direct the respondents not to disconnect the electricity connection till 20.05.2017 based on the representation dated 24.04.2017.

2. Heard both sides.

3. The learned counsel for the petitioner seeks indulgence of this Court only on the ground that the petitioner's mill is not functioning due to major mechanical problems and hence, the electricity consumption charges could not be paid in time. On his own admission, it reveals the fact that earlier the petitioner has approached this Court by filing a Writ petition in W.P.(MD) No.21888 of 2015 seeking extension of time for payment of electricity consumption charges and this Court while granting the relief, has specifically made an observation that no such indulgence will be granted to the petitioner, in future if the amount is not paid promptly. The learned counsel for the petitioner further submitted that 200 regular employees and 100 daily basis employees are working in the petitioner's mill and 150 persons are also depending upon the mill indirectly and hence, the learned counsel for the petitioner gave an undertaking that the petitioner will pay 50% of electricity consumption charges along with 2% of BP SC charges within a period of two weeks.

4. Even though in the present case, under the provisions of Tamil Nadu Electricity Supply Code, the petitioner was given time till 29.04.2017 for payment of electricity consumption, the petitioner has approached this Court for getting further time. Though the petitioner seeks further time for payment by stating different reasons, this Court is not inclined to entertain this Writ petition. However, the petitioner has come forward with an undertaking that 50% of electricity consumption charges along with 2% of BP SC charges will be paid within a period of two weeks.

5. The learned counsel for the respondents has no serious objection for receiving the entire payment in two installments.

6. In view of the above said undertaking, this Court is inclined to give the following directions:

(i) The respondents shall not disconnect the power supply for a period of four weeks from today on condition that the petitioner shall pay the electricity consumption charges along with 2% of BP SC charges in two equal installments.

(ii) The petitioner shall pay the first installment on or before 15.05.2017 and the second installment on or before



31.05.2017, failing which, the respondents are at liberty to disconnect the power supply as proposed.

The Writ petition is disposed of accordingly. No costs. Consequently, connected W.M.P.is closed.

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Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

1.The Chairman,

TANGEDCO,

144,Anna Salai,

Chennai.

2.The Superintending Engineer,

TANGEDCO,

Sivagangai Electricity Distribution Circle,

Sivagangai District.

3.The Assistant Executive Engineer/Distn/O & M,

TANGEDCO,

Sivagangai Electricity Distribution Circle,

Sivagangai District.

+1cc to M/s. F.DEEPAK Advocate in SR. No.54896

GNS/VSA

JS/SV/SAR.4/15.05.2017/3P-5C

W.P. (MD) .No.8699 of 2017

28.04.2017