

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.05.2018

CORAM: THE HONOURABLE Mr.JUSTICE N.SESHASAYEE

W.P.No.11763 of 2018

Sri Vela Smelters (P) Ltd.,
HT SC No.049094370231
1/628, Pommakapalayam
Thottiam Thottam
Nallur -Kandampalayam Post
P.Velur Taluk
Namakkal - 637 211
Rep by its Director Mr.L.Mohanraj Petitioner

-Vs-

- 1.The Chairman and Managing Director
TANGEDCO
144, Anna Salai
Chennai - 600 002.
- 2.The Superintending Engineer
Namakkal Electricity Distribution Circle
TANGEDCO
Supa Towers, Tiruchengode Road
Namakkal - 637 001. ... Respondents

Prayer :- Writ 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 Current Consumption Deposit of Rs.1,16,17,950/- alone in 12 monthly installments along with the regular current consumption charges for its H.T.Service Connection No.049094370231, M/s.Sri Vela Smelters Private Limited.

For Petitioner : Mr.K.Seshadri

For Respondents : Mr.S.K.Rameshuwar
Standing Counsel for TNEB

ORDER

1.1 In this case, the respondents have issued notice to make Additional Security Deposit of ₹1,16,17,950/- with it, based on the average annual electricity charges for one year preceding the claim for such deposit.

1.2 The only prayer sought in this writ petition is that the petitioner seeks a direction of this Court to the second respondent to receive Additional Security Deposit along with the regular current consumption charges for HT Service Connection, in twelve monthly installments.

2. Heard Mr.K.Seshadri, learned counsel for the petitioner and Mr.S.K.Rameshuwar, learned Standing Counsel [TNEB] for the respondents.

3. The counsel for the petitioner has brought to the notice of the Court, an earlier order passed by this Court in W.P.No.11500 of 2017 in which, the learned Single Judge has followed the decision of the Division Bench of this Court in Tamil Nadu Electricity Board Vs. Mani Spinning Mills (P) Limited [CDJ 2012 MHC 4380 - (W.A.(MD) Nos.407 to 412 of 2012 dated 02.08.2012] and also the order passed in W.P.No.11538 of 2017. Since the issue involved in this case is identical to the one involved in the aforesaid cases, this Court is inclined to grant similar relief to the petitioner herein.

4. Accordingly, this writ petition is allowed and this Court directs the petitioner to pay the additional security deposit, now claimed by the second respondent in six equal monthly installments commencing from 1st June, 2018. If the petitioner defaults in making payment, it is open to the respondents to initiate appropriate action, in accordance with law. No costs.

सत्यमेव जयते

Sd/-
Vacation Officer

//True Copy//

WEB COPY

Sub Assistant Registrar

ds

To:

1.The Chairman and Managing Director

TANGEDCO

144, Anna Salai

Chennai - 600 002.

2.The Superintending Engineer

Namakkal Electricity Distribution Circle

TANGEDCO

Supa Towers, Tiruchengode Road

Namakkal - 637 001.

+3cc to Mr.K.SESHADRI Advocate, S.R.No. 33024

W.P.No.11763 of 2018

CA(CO)

TR(08/05/2018)



WEB COPY