

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.05.2018

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P.No.12404 of 2018

Dhivakar Spinning Mills (P) Ltd. HTSC No.127,
No.45-C, Chinna Nallam Thottam,
Kannampalayam Post Sulur (Via)
Coimbatore - 641402, Coimbatore District
Repd. its Authorized Signatory S.Ramesh

... Petitioner

vs.

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

2.The Superintending Engineer,
Coimbatore Metro Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Ltd.
Coimbatore.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the 2nd respondent to permit the petitioner to pay the Additional Security Deposit of Rs.20,67,751/- alone in 6 equal monthly installments along with the regular current consumption charges.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.Rameshuwar

O R D E R

The petitioner has filed this Writ Petition seeking issuance of Writ of Mandamus directing the 2nd respondent to permit the petitioner to pay the Additional Security Deposit of Rs.20,67,751/- alone in 6 equal monthly installments along with the regular current consumption charges.

2. 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 reported in [CDJ 2012 MHC 4380] - (W.A.(MD) Nos.407 to 412 of 2012 dated 02.08.2012). Since the issue involved in this case is identical to the one involved in the aforesaid case, this Court is inclined to grant similar relief to the petitioner herein.

3. Accordingly, this Writ Petition is allowed and the petitioner is directed to pay the additional security deposit in six equal monthly installments commencing from 1st June, 2018 and shall pay the installments on or before 10th of every succeeding English Calendar month. No Costs

Sd/-
Assistant Registrar/Vacation Officer

//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,
Coimbatore Metro Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Ltd.
Coimbatore.

+1cc to Mr.R.S.Pandiyaraj, Advocate in sr.no.33674

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