

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.15760 of 2018

Peninsula Spinning Mills, HTSC No.645
S.F.No.323/1A, Naranapuram Village,
Alampalayam, Mopperipalayam,
Coimbatore - 641 659
rep by its Authorized Signatory M.Shanmugam ... Petitioner

Vs.

- 1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai - 600 002.
- 2.The Superintending Engineer,
TANGEDCO,
Coimbatore South Electricity Distribution Circle,
Coimbatore. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 2nd respondent to permit the petitioner to pay Rs.32,39,218/- alone towards the additional security deposit in 5 equal monthly installments along with the regular current consumption charges.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents: Mr.S.K.Rameshuwar,
Standing Counsel
For R1 & R2

O R D E R

The Writ Petition has been filed seeking to issue a Writ of mandamus directing the 2nd respondent to permit the petitioner to pay Rs.32,39,218/- alone towards the additional security deposit in 5 equal monthly installments along with the regular current consumption charges.

2.The learned counsel appearing for the petitioners submitted that the petitioner's Company is registered under the Companies Act, 1956 having its Industry at S.F.No.323/1A, Naranapuram Village, Alampalayam, Mopperipalayam, Coimbatore - 641 659. They are having HT Service Connection bearing No.645, which is coming under the jurisdiction of the 2nd respondent herein. The petitioner's Company is manufacturing yarn products and giving employment opportunities to several hundreds of rural people. This apart, the petitioner is also keeping a Security Deposit (CCD) of Rs.10,58,323/-. While so, as per the Regulation 5 (5)(ii)(a) of the Tamil Nadu Electricity Supply Code, 2004, the CCD should be two times of the average of the electricity charges for the preceding 12 months prior to April for the monthly billed consumer. In view thereof, the Superintending Engineer, Tamil Nadu Generation And Distribution Corporation Limited, Coimbatore South Electricity Distribution Circle, Coimbatore/the 2nd respondent herein, vide his letter dated 19.04.2018 sought the petitioner to pay additional security deposit of Rs.48,58,827/- over and above the existing deposit of Rs.10,58,323/- in one lump sum failing which the petitioners were informed that the service connection would be disconnected. Hence, the present Writ Petition has been filed.

3.The learned counsel for the petitioner had submitted that after the receipt of the notice, immediately a sum of Rs.16,19,609/- was paid. However, the balance of Rs.32,39,218/- alone shall be paid in 5 equal monthly installments.

4.When this Court in similar circumstances had permitted the industries like the petitioner to pay the Additional Current Consumption Deposit in six installments, following the order passed in W.P.No.14263 of 2018 dated 13.06.2018, this Court directs the petitioner herein to deposit the balance of Rs.32,39,218/- in five equal installments on 28.06.2018, 28.07.2018, 28.08.2018, 28.09.2018 and 28.10.2018, apart from the regular current consumption charges. It is made clear that if the petitioner commits any default in making the deposit, the respondents are at liberty to take appropriate action in accordance with law.

5.With this direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

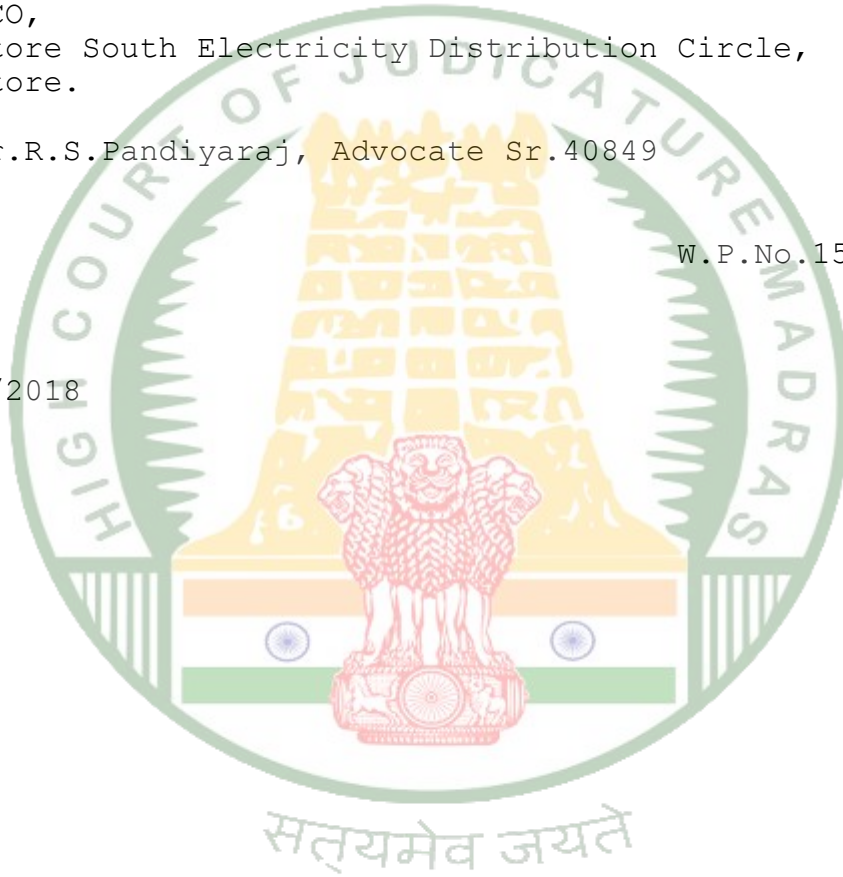
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+lcc to Mr.R.S.Pandiyaraj, Advocate Sr.40849

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srg 06/07/2018



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