

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.18814 of 2018

P.V.S. Textiles (P) Ltd., HTSC No.16,
Pethanaickenpalayam,
Pongalur (PO), Avinashi Taluk,
Coimbatore - 638 459,
rep by its Managing Director V.D. Raamkumar ... Petitioner

Vs.

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

2.The Superintending Engineer,
Tirupur Electricity Distribution Circle,
19A-19B, Jothinagar,
Perumanallur Road, Tirupur. ... 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 the balance of Additional Security Deposit Rs.16,02,002/- alone in 12 equal monthly installments along with the regular current consumption charges as well as 30 days further time to make the payment for High Tension Bill (provisional) for the month of June 2018.

For Petitioner : Mr.G.Sankaran
For Respondents : Mr.S.K.Rameshuwar,
Standing Counsel

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 the balance of Additional Security Deposit Rs.16,02,002/- alone in 12 equal monthly installments along with the regular current consumption charges as well as 30 days further time to make the payment for High Tension Bill (provisional) for the month of June 2018.

2.The learned counsel appearing for the petitioner submitted that the petitioner's Company is registered under the Companies Act, 1956 having their Mills at Tiruppur. They are having HT Service Connection bearing No.16, 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.69,33,888/-. 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, Tirupur Electricity Distribution Circle, 19A-19B, Jothinagar, Perumanallur Road, Tirupur/the 2nd respondent herein, vide his letter dated 18.04.2018 sought the petitioner to pay additional security deposit of Rs.30,02,002/- over and above the existing deposit of Rs.69,33,888/- in one lump sum failing which the petitioners were informed that the service connection would be disconnected. Subsequently, by letter dated 03.07.2018, the 2nd respondent had directed the petitioner to pay a sum of Rs.16,02,002/- together with the Current Consumption Charges for the month of June 2018. 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.14,00,000/- was paid. However, the balance of Rs.16,02,002/- could not be deposited and hence, this Court may grant 6 equal monthly installments. The learned counsel for the petitioner also sought few more days time to pay the Current Consumption Charges, as today (i.e.) 24.07.2018 is the last date.

4.The learned standing counsel for the respondents submitted that 6 equal monthly installments option can be given to the petitioner with respect to CCD and not with regard to the monthly consumption charges. The learned standing counsel objected to the request of the petitioner for grant of time for payment of Current Consumption Charges.

5.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.16,02,002/- in six equal installments on 03.08.2018, 03.09.2018, 03.10.2018, 03.11.2018, 03.12.2018 and 03.01.2019, apart from the regular current consumption charges.

6.The petitioner is granted two days time to clear the Current Consumption Charges (i.e.) on or before 27.07.2018, failing which the respondents are at liberty to disconnect the electricity service connection.

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

Sd/-
Assistant Registrar(CS VII)

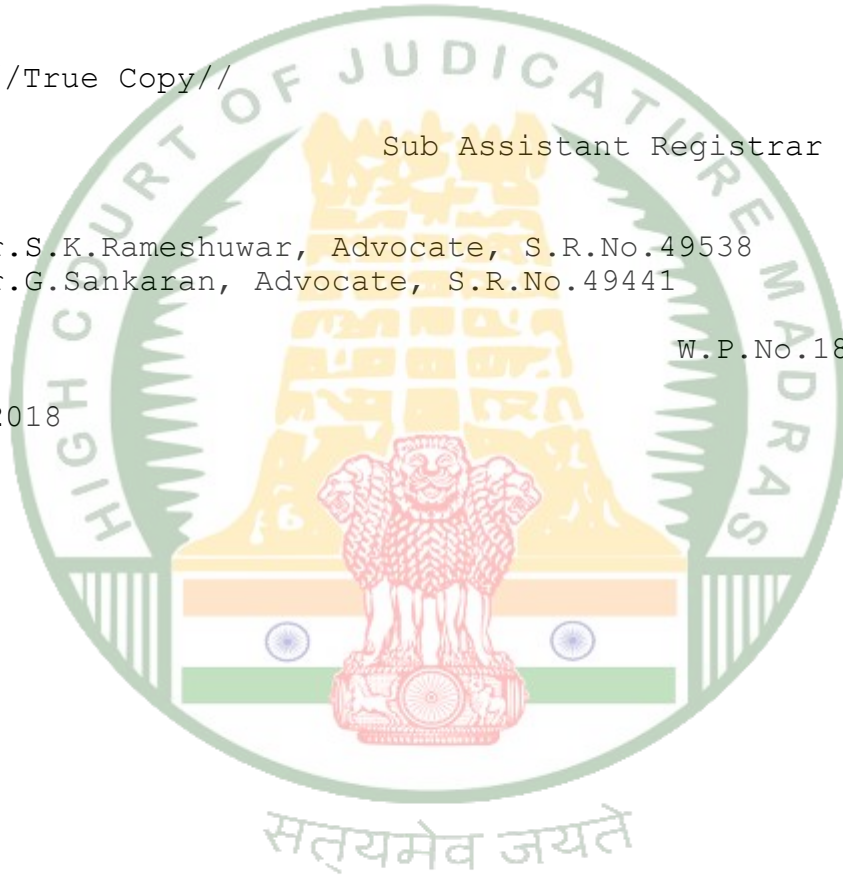
//True Copy//

Sub Assistant Registrar

+1cc to Mr.S.K.Rameshuwar, Advocate, S.R.No.49538
+1cc to Mr.G.Sankaran, Advocate, S.R.No.49441

W.P.No.18814 of 2018

RSY(CO)
BM 24/07/2018



WEB COPY