

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.12954, 12957, 12961 of 2019

Bannari Amman Spinning Mills Ltd.,

HT SC No.279

No.252, Mettupalayam Road

Coimbatore 641 043 represented by its

Vice President (Operation) K.Prabakaran

... Petitioner in WP 12954/2019

Bannari Amman Spinning Mills Ltd.,

HT SC No.171

No.252, Mettupalayam Road

Coimbatore 641 043 represented by its

Vice President (Operation) K.Prabakaran

... Petitioner in WP 12957/2019

Shiva Mills Ltd.,

HT SC No.084

No.252, Mettupalayam Road

Coimbatore 641 043 represented by its

Vice President (Operation) K.Prabakaran

... Petitioner in WP 12961/2019

-vs-

1. The Chairman

Tamil Nadu Generation and

Distribution Corporation Limited

144, Anna Salai

Chennai 600 002

2. The Superintending Engineer

TANGEDCO

Dindigul Anna Electricity Distribution Circle

M.N.Patty Post, Dindigul

.. Respondents in all the W.Ps.

Petitions under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, directing the first

and second respondents to permit the petitioners to pay the Additional Security Deposit of Rs.3,03,19,072/-, Rs.1,16,34,507/-, Rs.65,22,631/- alone in 6 equal monthly installments along with the regular current consumption charges, respectively.

For Petitioners :: Mr.R.S.Pandiyaraj

For Respondents :: Mr.P.R.Dhilip Kumar
Standing Counsel

ORDER

The writ petitions have been filed seeking issuance of a mandamus directing the first and second respondents to permit the petitioners to pay the Additional Security Deposit of Rs.3,03,19,072/-, Rs.1,16,34,507/-, Rs.65,22,631/- alone in 6 equal monthly installments along with the regular current consumption charges, respectively.

2. Heard both sides.

3. The issue raised in these writ petitions has already been considered by this Court in W.P.Nos.10994 to 10996 of 2018 dated 27.4.2018 (Victory Spinning Mills Pvt. Ltd., HTSC No.229, Tiruchengode v. The Chairman, Tamil Nadu Generation and Distribution Corporation Limited and others), wherein it has been held as follows:-

"6. This Court agrees with the submissions made by the learned counsel for the petitioners that the amended Regulation 5(5) (iv) of the Tamil Nadu Electricity Supply Code stipulates 3 installments to pay the additional security deposit. Therefore, following the earlier orders passed by this Court including the one passed by this Court in W.P.No.9049 of 2016 dated 04.05.2016, W.P.No.11500 of 2017 dated 05.05.2017, W.P.No.13283 of 2017 dated 24.05.2017 and W.P.No.8308 of 2015 dated 20.05.2015, taking note of the financial status of the petitioners, this Court grants 6 equal monthly installments to clear the balance security deposit of Rs.31,99,969/-, Rs.28,71,141/- and Rs.1,07,59,716/-. The 1st installment is payable on or before 15.05.2018 (W.P.Nos.10994 & 10995/2018), 20.05.2018 (W.P.No.10996/2018), the 2nd installment on or before 15.06.2018

(W.P.Nos.10994 & 10995/2018), 20.06.2018 (W.P.No.10996/2018), the 3rd installment on or before 15.07.2018 (W.P.Nos.10994 & 10995/2018), 20.07.2018 (W.P.No.10996/2018), the 4th installment on or before 15.08.2018 (W.P.Nos.10994 & 10995/2018), 20.08.2018 (W.P.No.10996/2018), the 5th installment on or before 15.09.2018 (W.P.Nos.10994 & 10995/2018), 20.09.2018 (W.P.No.10996/2018), the 6th installment on or before 15.10.2018 (W.P.Nos.10994 & 10995/2018), 20.10.2018 (W.P.No.10996/2018). It is made clear that if the petitioners commit any single default, it is for the respondents to take appropriate action against them.

7. With the above observation and direction, the writ petitions are disposed of. No costs."

4. In the light of the above, these writ petitions are disposed of directing the petitioners to pay the Additional Security Deposit of Rs.3,03,19,072/-, Rs.1,16,34,507/-, Rs.65,22,631/- respectively, in six equal monthly installments, in addition to the regular current consumption charges, commencing from 21.05.2019 and the subsequent installments on or before 21.06.2019, 21.07.2019, 21.08.2019, 21.09.2019 and 21.10.2019. If the petitioners commit any single default, it is for the respondents to take appropriate action against them. No costs.

Sd/-

Assistant Registrar (AD-IV)

//True Copy//

Sub Assistant Registrar

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To

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

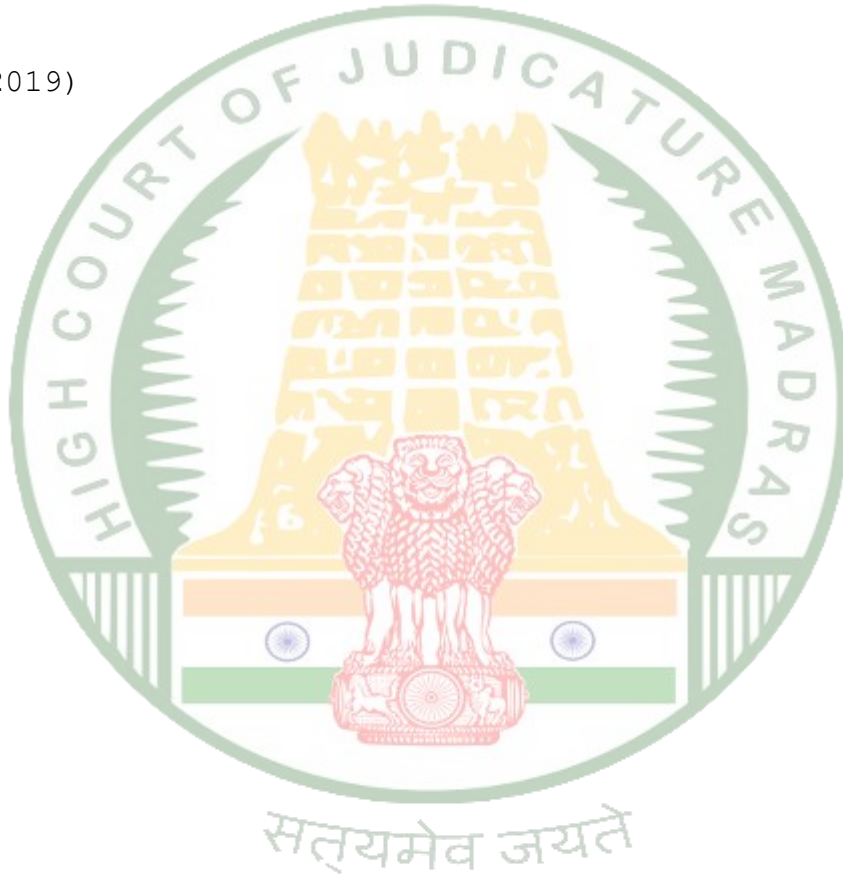
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2. The Superintending Engineer
TANGEDCO
Dindigul Anna Electricity Distribution Circle
M.N.Patty Post, Dindigul

+3cc to Mr.R.S.Pandiyaraj, Advocate, S.R.No. 40985
+1cc to Mr.P.R.Dhilip Kumar, Advocate, S.R.No. 40909

W.P.Nos.12954, 12957, 12961 of 2019

LN (CO)
GN (24/05/2019)



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