

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.13534, 13544, 13547, 13551, 13563 of 2019

N.S.P.Knitting Mills

HTSC No.419

S.F.No.163, Veeranampalayam

Muthur Road, Kangayam

Kangayam 638 701, Tiruppur rep.by

its Authorised Signatory M.Balamurugan

.. Petitioner in WP 13534/2019

Sri Rohith Spinners (P) Ltd.,

HTSC No.192

No.448/1,2,3 Patharai Village

Veppadai-Kumarapalayam Taluk

Namakkal 638 008 rep.by its

Authorised Signatory J.Mohanasundaram

.. Petitioner in WP 13544/2019

M/s Centwin Textile Mills (P) Ltd.,

HTSC No.082

S.F.No.100, Palladam Road, Arulpuram

Tirupur 641 605 rep.by its

Authorised Signatory R.Puviyarasu

.. Petitioner in WP 13547/2019

Victory Spinning Mills Pvt.Ltd.,

HTSC No.229

Uppupalayam Village (Veppadi)

Modamangalam Post

Tiruchengode 637 304 rep.by its

Authorised Signatory Durai Karthikeyan

.. Petitioner in WP 13551/2019

Sri Vari Textiles

HTSC No.286

Velvrkottai, Vadamadurai

Dindigul 624 002 rep.by its

Authorised Signatory Manikandarajan

.. Petitioner in WP 13563/2019

-vs-

1. The Chairman
Tamil Nadu Generation and
Distribution Corporation Limited
144, Anna Salai
Chennai 600 002 .. 1st Respondent in all the W.P's
2. The Superintending Engineer
Palladam Electricity Distribution Circle
Tamil Nadu Generation and
Distribution Corporation Limited 2nd Respondent in
Palladam .. W.P.No.13534/2019
3. The Superintending Engineer
Mettur Electricity Distribution Circle
Tamil Nadu Generation and
Distribution Corporation Limited 2nd Respondent in
Mettur Dam ... W.P.Nos.13544,
13551/2019
4. The Superintending Engineer
TANGEDCO
Dindigul Anna Electricity
Distribution Circle 2nd Respondent in
M.N.Patty Post, Dindigul ... W.P.Nos.13547, 13563/2019

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.1,21,23,758/-, Rs.84,71,732/-, Rs.78,71,267/-, Rs.72,59,821/-, Rs.74,92,852/- alone in 6 equal monthly installments along with the regular current consumption charges, respectively.

For Petitioners :: Mr.R.S.Pandiyaraj

For Respondents :: Mr.S.K.Rameshuwar and
Mr.P.R.Dhilip Kumar
Standing Counsels

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.1,21,23,758/-, Rs.84,71,732/-, Rs.78,71,267/-, Rs.72,59,821/-, Rs.74,92,852/- 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.1,21,23,758/-, Rs.84,71,732/-,

Rs.78,71,267/-, Rs.72,59,821/-, Rs.74,92,852/- respectively, in six equal monthly installments, in addition to the regular current consumption charges. The 1st installment is payable on or before 21.05.2019 (W.P.Nos.13534, 13547 & 13563/2019), 20.05.2019 (W.P.Nos.13544 & 13551/2019), the 2nd installment on or before 21.06.2019 (W.P.Nos.13534, 13547 & 13563/2019), 20.06.2019 (W.P.Nos.13544 & 13551/2019), the 3rd installment on or before 21.07.2019 (W.P.Nos.13534, 13547 & 13563/2019), 20.07.2019 (W.P.Nos.13544 & 13551/2019), the 4th installment on or before 21.08.2019 (W.P.Nos.13534, 13547 & 13563/2019), 20.08.2019 (W.P.Nos.13544 & 13551/2019), the 5th installment on or before 21.09.2019 (W.P.Nos.13534, 13547 & 13563/2019), 20.09.2019 (W.P.Nos.13544 & 13551/2019), the 6th installment on or before 21.10.2019 (W.P.Nos.13534, 13547 & 13563/2019), 20.10.2019 (W.P.Nos.13544 & 13551/2019). If the petitioners commit any single default, it is for the respondents to take appropriate action against them. No costs.

Sd/-

Assistant Registrar (CS-III)

//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
2. The Superintending Engineer
Palladam Electricity Distribution Circle
Tamil Nadu Generation and
Distribution Corporation Limited
Palladam
3. The Superintending Engineer
Mettur Electricity Distribution Circle
Tamil Nadu Generation and
Distribution Corporation Limited
Mettur Dam

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

+5cc to Mr.R.S.Pandiyaraj, Advocate SR.No.42363

W.P.Nos.13534, 13544, 13547, 13551
& 13563 of 2019

SJ(CO)
GMY(18/06/2019)



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