

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2019

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THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.15223 of 2019

M/s.Jothi Melters (India) Pvt. Ltd., HTSC No.189
S.F.No.493/2, Peranikanpudur Road
Punjaipuliyampatti Village
Sathiyamangalm Taluk, Erode
Represented by its Authorised Signatory
Mr.R.Kannan

...Petitioner

Vs.

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

2.The Superintending Engineer
TANGEDCO
Tiruppur Electricity Distribution Circle
Tiruppur

... Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, to direct the 1st and 2nd respondents to permit the petitioner to pay the Additional Security Deposit of Rs.65,67,897/- alone in 6 equal monthly instalments along with the regular current consumption charges.

For Petitioner : Mr.R.S.Pandiyaraj
For Respondents : Mr.P.R.Dilip Kumar
SC for TNEB

ORDER

By consent the Writ Petition itself is taken up for final disposal.

2.The petitioner has filed this Writ Petition seeking issuance of Writ of Mandamus, directing the 1st and 2nd respondents to permit the petitioner to pay the Additional Security Deposit of Rs.65,67,897/- alone in 6 equal monthly instalments along with the regular current consumption charges.

3.The learned counsel for the petitioner has brought to the notice of this Court that an order in W.P.No.11500 of 2017 has been passed by this Court, 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, he prayed this Court that a similar order may be

passed in the writ petition also.

3.The learned Standing Counsel appearing for the respondents did not dispute the above facts.

4.In view of the above, this Court is inclined to grant a similar relief to the petitioner herein. Hence, the petitioner is directed to pay the additional security deposit in six consecutive monthly instalments. The petitioner shall pay Rs.17,00,000/- (Rupees Seventeen Lakhs only) towards the first instalment, which shall be paid on or before 04.07.2019. The remaining instalments shall be paid on or before the 15th of every succeeding English Calendar month upto 15th December 2019.

5.This Writ Petition is allowed accordingly. No costs.

सत्यमेव जयते

04.06.2019

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M.DHANDAPANI, J.
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To

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Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002

2.The Superintending Engineer
TANGEDCO
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