

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2019

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.16531 of 2019

Tulsyan NEC Limited, HT SC No.1771
V Floor, 147, Greams Road
Chennai 600 006 repd. By its Manager
V.Rajendran

...Petitioner

Vs.

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

2.The Superintending Engineer
Chennai North Electricity Distribution Circle
Tamil Nadu Generation and Distribution
Corporation Limited
Chennai 600 002

... Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, to direct the 2nd respondent to permit the petitioner to pay Rs.42,70,200/- alone towards the Additional Security Deposit in 5 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, to direct the 2nd respondent to permit the petitioner to pay Rs.42,70,200/- alone towards the Additional Security Deposit in 5 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.

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

5.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 five equated monthly instalments. The petitioner shall pay a sum of Rs.8,54,040/- (Rupees Eight Lakhs Fifty Four Thousand and Forty only) towards the first instalment, which shall be paid on or before 21.06.2019. The remaining instalments shall be paid on or before the 15th of every succeeding English Calendar month upto 15th October 2019.

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

Sd/-
Assistant Registrar (CS-VIII)

//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
Chennai North Electricity Distribution Circle
Tamil Nadu Generation and Distribution Corporation Limited
Chennai 600 002

+lcc to Mr.R.S.Pandiyaraj, Advocate SR.No.48777

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NRL (CO)
GMY (19/06/2019)