



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 08.05.2019

Coram

THE HON'BLE MR.JUSTICE **M.DHANDAPANI**

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Writ Petition (MD)No.11733 of 2019

S.M.P.Textiles Mills (P) Limited,
HTSC No.059094500191
Chengattapatti (post), Nilakottai Taluk
rep. by its Director M.K.Ravindran

..... Petitioner

-Vs-

1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai-02.

2.The Superintending Engineer,
Dindigul Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation Limited,
Dindigul.

. . . Respondents

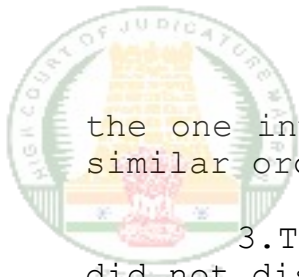
Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the 1st and 2nd respondents to permit the petitioner to pay the Additional Security Deposit of Rs.31,05,099/- alone in 6 equal monthly instalments along with the regular current consumption charges.

For petitioner : Mr.P.S.Pandiyaraj
For respondents : Mrs.Rajeshwari for
M/s.S.M.S.Johny Basha

ORDER

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.31,05,099/- alone in 6 equal monthly instalments along with the regular current consumption charges.

2.The learned counsel for the petitioner has brought to the notice of this Court an earlier order passed by this Court in W.P.No.11500 of 2017, 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.

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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 monthly instalments** commencing from **08th June 2019**. The first instalment of **Rs.6,05,099/-** (Rupees six lakhs five thousand and ninety nine only) should be paid on or before 08.06.2019 and the remaining instalment of Rs.5 Lakhs each should be paid on or before 08th of every succeeding English Calender month upto **08th of November 2019**.

5.Accordingly, this writ petition is allowed. No costs.

Sd/-

Vacation Officer/
Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS)

To

1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai-02.

2.The Superintending Engineer,
Dindigul Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation Limited,
Dindigul.

+1 CC to M/s.R.S.PANDIYARAJ, Advocate
(SR-65334[F] dated 08/05/2019)

W.P. (MD) .No.11733 of 2019
08.05.2019

ES/17.05.2019/2P/4C