



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE **M. GOVINDARAJ**

W.P (MD) No.12211 of 2019

and

WMP (MD) No.9171 of 2019

WEB COPY

M/s.Sri Venkatram Spinners (P) Ltd.,
through its Managing Director,
S.Srinivasan,
109/1, Koonankulam Road,
Cholapuram, Rajapalayam,
Virudhunagar District.

.. Petitioner

Vs.

1.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Virudhunagar Electricity Distribution Circle,
TNEB Compex,
65/1, Ramamoorthi Road,
Virudhunagar District.

2.The Accounts Officer/Revenue
Tamil Nadu Generation and Distribution Corporation Ltd.,
Virudhunagar Electricity Distribution Circle,
TNEB Compex,
65/1, Ramamoorthi Road,
Virudhunagar District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the impugned Current Consumption demand Bill dated 04.05.2019 issued by the 2nd respondent and quash the same as illegal and consequently direct the respondents to adjust the Current Consumption Bill amount of Rs.41,49,022.00 from the available excess security deposit of Rs.81,63,104.00 in the petitioner's account and to refund the balance if any before the due date for the payment of third demand.

For Petitioner	: Mr.C.Arul Vadivel alias Sekar
For Respondents	: Mr.Kasinathadurai

ORDER

Challenging the Current Consumption demand Bill dated 04.05.2019 issued by the 2nd respondent, this writ petition is

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filed. A consequential direction to the respondents to adjust the Current Consumption Bill amount of Rs.41,49,022/- from the available excess security deposit of Rs.81,63,104/- has also been sought for.

2.The petitioner is a consumer under the respondent/electricity department. The second respondent made a demand on 04.05.2019 for a sum of Rs.41,49,022/-. The demand notice also specified that if the amount is not paid on or before 25.05.2019, the electricity service connection will be disconnected.

3.As per the Tamil Nadu Electricity Distribution Code, 2004, the petitioner shall maintain a security deposit of Rs.86,49,240/-. But, in fact, the petitioner deposited a sum of Rs.1,68,12,344/-. Thus, a sum of Rs.81,63,104/- was lying as an excess deposit with the respondents. Therefore, the demand can be adjusted from the excess amount available with the respondents and the electricity service connection need not be disconnected. Apprehending disconnection and challenging the electricity consumption demand dated 04.05.2019, the petitioner is before this Court.

4.When the matter is taken up today, the learned counsel for the respondents would submit that the respondents have adjusted the dues against the excess amount available with them for the past three months. The balance due towards consumption charges was also paid by the petitioner. Now the account has been regularised and the petitioner has to pay only the current dues, which he is promptly paying.

5.On the basis of the above submission made by both sides, nothing survives to adjudicate on this matter. Recording the statement so made, this writ petition is closed. No costs. Consequently, WMP(MD)No.9171 of 2019 is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

TO

1.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Virudhunagar Electricity Distribution Circle,
TNEB Complex,
65/1, Ramamoorthi Road,
Virudhunagar District.



2.The Accounts Officer/Revenue

Tamil Nadu Generation and Distribution Corporation Ltd.,
Virudhunagar Electricity Distribution Circle,
TNEB Complex,
65/1, Ramamoorthi Road,
Virudhunagar District.

+1 CC to M/s.C. ARUL VADIVEL @ SEKAR, Advocate (SR-85377[F] dated 05/09/2019)

+1 CC to M/s.G. KASINATHADURAI, Advocate (SR-85380[F] dated 05/09/2019)

MJ

W.P (MD) No.12211 of 2019
05.09.2019

KM/ (25.09.2019) 3P 5C