

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.9843 of 2020
and
W.M.P.No.11961 of 2020

A.Shanmugasundaram

... Petitioner

Vs.

- 1.The Chairman,
Tamil Nadu Electricity Board,
No.144, Anna Salai, Chennai 02.
- 2.The Superintending Engineer,
Salem Electricity Distribution Circle,
Tamil Nadu Electricity Generation and
Distribution Corporation,
Salem 636 014.
- 3.The Assistant Executive Engineer (O&M)
Udayapatty Division,
Salem Electricity Distribution Circle,
Tami Nadu Electricity Generation and
Distribution Corporation,
Salem 636 014.
- 4.The Assistant Engineer (O&M)
Udayapatty Division,
Salem Electricity Distribution Circle,
Tami Nadu Electricity Generation and
Distribution Corporation,
Salem 636 014.

...Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus directing the respondent to permit the petitioner to make payment of the entire due with BPSC pursuant to proceedings of the second respondent Lr.No.SE/SEDC/AOR/ASII/Asst /HT /F.HTSC.117/ PR.276/20 dated 01.07.2020 in Twenty monthly instalments and restrain them from disconnecting the electricity supply to the petitioner's house under S.C.No.04-432-001-100 and pass orders.

For Petitioner : Mr.M.Venkatakkrishnan

For Respondents :Mr.N.Dhamodaran, Standing counsel

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to permit the petitioner to pay the amounts due in 20 monthly instalments,

based on the representation made by the petitioner on 11.06.2020.

2.The case of the petitioner is that earlier the electricity connection stood in the name of the partnership firm. The service connection was disconnected in the year 2016 due to non payment of current consumption charges. Ultimately a sum of Rs.1,44,365/- was found due and payable. The respondents also initiated steps to recover the amount from the partners. The petitioner undertook to pay the amount. The respondents took further steps to recover this amount from the LT Service connection standing in the name of the petitioner and by letter dated 01.07.2020, directed the petitioner to pay the entire amount in six instalments. The petitioner was directed to pay a sum of Rs.2,03,816/-.

3. The petitioner has approached this court and requested to take into consideration the present situation and requested for increasing the number of instalments in order to repay back the entire dues to the department.

4. Heard Mr.M.Venkatakrishnan, learned counsel appearing on behalf of the petitioner and Mr.N.Dhamodaran, Standing Counsel appearing on behalf of the respondents.

5.Taking into consideration the facts and circumstances of the case and the present situation that is prevailing, this Court is inclined to exercise its discretion and increase the number of instalments from 6 to 10 instalments. It is seen from the records that the total amount due and payable by the petitioner works out to a sum of Rs.2,03,816/-. This amount shall be paid by the petitioner in 10 monthly instalments.

6. This writ petition is disposed of with the following directions:

(a) The petitioner shall pay a sum of Rs.20,000/- every month starting from August 2020 along with the current consumption charges for the relevant month.

(b)The 10th and last instalment shall be paid at the rate of Rs.23,816/- along with the current consumption charges for the relevant month and

© If the petitioner fails to comply with any one of the directions imposed by this Court, it is left open to the respondents to proceed further to take action to recover the amount from the petitioner, without any further reference to this Court.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

vkr

Note: To be upload in the Internet on 30.07.2020

To

- 1.The Chairman,
Tamil Nadu Electricity Board,
No.144, Anna Salai, Chennai 02.
 - 2.The Superintending Engineer,
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 - 4.The Assistant Engineer (O&M)
Udayapatty Division,
Salem Electricity Distribution Circle,
Tami Nadu Electricity Generation and
Distribution Corporation,
Salem 636 014.
 - 5.The Government Pleader,
High Court, Madras.
- +1cc to Mr.M.Venkatakrishnan, Advocate, S.R.No.25527
- W.P.No.9843 of 2020 and
W.M.P.No.11961 of 2020

SAI (CO)
GN(14/08/2020)

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