

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.10756 of 2020

M/s.Dattatreya Textile Pvt Ltd.,
HTSC No.059094520047,
Maruthur Road, Therkutheru 625 122,
Melur Taluk, Madurai
Rep by its Authorized Signatory
R.Baskaran

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
No.144, Anna Salai,
Chennai 2.

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

... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the respondents 1 and 2 to permit the petitioner to pay the Additional Security Deposit of Rs.54,39,036/- alone in 10 equal monthly instalments along with the regular current consumption charges and pass orders.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents: Mr.Vijayamehanath, Standing Counsel

O R D E R

This writ petition has been filed for a direction to the respondents to consider the request made by the petitioner, wherein, the petitioner has requested for payment of Additional Security Deposit in 10 equal monthly instalments.

2.The petitioner is having a HT service connection. As per the Tamil Nadu Electricity Supply Code, 2004, the Security Deposit will be revised every year under Regulation 5(5).

Accordingly, the second respondent has revised the Security Deposit and has informed the petitioner through his letter dated 20.07.2020 to pay the Additional Security Deposit of Rs.54,39,036/- over and above the existing deposit in one lumpsum. If this amount is not paid by the petitioner, the electricity supply will stand disconnected.

3.The petitioner had stated that due to the current situation and severe financial constraints, the petitioner is not in a position to pay the entire Additional Security Deposit in one lumpsum. The petitioner has therefore made a representation on 24.07.2017 to the respondents to permit the petitioner to pay the Additional Security Deposit in 10 equal monthly instalments. Since it was not acted upon, the present writ petition has been filed before this Court seeking for appropriate direction.

4.Heard Mr.R.S.Pandiyaraj, learned counsel appearing on behalf of the petitioner and Mr.Vijayamehanath, learned Standing Counsel appearing on behalf of the respondents.

5.It is seen from the records that similar such request has been entertained by this Court and this Court considering the facts and circumstances of the case, has permitted the consumer to pay the Additional Security Deposit in 10 instalments. Useful reference can be made to the order of this Court in W.P.No.10947 of 2017 and W.P.No.11686 of 2018.

6.Taking into consideration the facts and circumstances of the case and the present situation that is prevailing, there shall be a direction to the petitioner to pay the Additional Security Deposit claimed by the second respondent in 6 equal monthly instalments commencing from September 2020. If any case, the petitioner defaults in making the payment, it is always open to the respondents to initiate appropriate action in accordance with law.

7.This writ petition is disposed of with the above direction. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
No.144, Anna Salai,
Chennai 2.
2. The Superintending Engineer,
Madurai Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation Limited,
Madurai.

+1 CC to Mr.R.S.Pandiyaraj, Advocate sr 26969.

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NR(CO)
SP(14/10/2020)



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