

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.Nos.10980,10982,10983 and 10984 of 2020

W.P.No.10980/2020 :

M/s.Sowdeswari Amman Spinners Limited ... Petitioner

Vs

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

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

.... Respondents

W.P.No.10982/2020 :

M/s.Sri Saravana Tex Exports India (P) Limited
... Petitioner

Vs

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

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

W.P.No.10983/2020 :

M/s.Everwin Textile Mills Private limited
... Petitioner

Vs

- 1.The Chairman,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai,
Chennai - 600 002.
- 2.The Superintending Engineer,
Coimbatore South Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Limited,
Coimbatore. ... Respondents

W.P.No.10984/2020 :

M/s.Dindigul Steel Rolling Mills Private limited
... Petitioner

Vs

- 1.The Chairman,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai,
Chennai - 600 002.
- 2.The Superintending Engineer,
Dindigul Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Limited,
Dindigul. ... Respondents

W.P.No.10980 of 2020 is filed under Article 226 of Constitution of India, seeking for a Writ of Mandamus, directing the 1st and 2nd respondents to permit the petitioner to pay the Additional Security Deposit of Rs.12,43,335/- alone in 10 equal monthly installments along with the regular current consumption charges.

W.P.No.10982 of 2020 is filed under Article 226 of Constitution of India, seeking for a Writ of Mandamus, directing the 1st and 2nd respondents to permit the petitioner to pay the Additional Security Deposit of Rs.24,05,607/- alone in 10 equal monthly installments along with the regular current consumption charges.

W.P.No.10983 of 2020 is filed under Article 226 of Constitution of India, seeking for a Writ of Mandamus, directing the 1st and 2nd respondents to permit the petitioner to pay the Additional Security Deposit of Rs.17,06,449/- alone in 10 equal monthly installments along with the regular current consumption charges.

W.P.No.10984 of 2020 is filed under Article 226 of Constitution of India, seeking for a Writ of Mandamus, directing the 1st and 2nd respondents to permit the petitioner to pay the Additional Security Deposit of Rs.1,30,77,811/-

alone in 10 equal monthly installments along with the regular current consumption charges.

For Petitioner in all W.Ps.: Mr.R.S.Pandiyaraj

For Respondents in all W.Ps.: Mr.M.Vijay Meghanath,
Standing Counsel.

ORDER

These Writ Petitions have been filed for a direction to the respondents to consider the request made by the petitioners, wherein, the petitioners have requested for payment of Additional Security Deposit in 10 equal monthly instalments.

2. The petitioners are having HT service connections. 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 informed the petitioners through his letter dated 24.07.2020, 22.07.2020, 23.07.2020 and 27.07.2020 to pay the Additional Security Deposit of Rs.12,43,335/-, Rs.24,05,607/-, Rs.17,06,449/- and Rs.1,30,77,811/- respectively over and above the existing deposit in one lumpsum. If this amount is not paid by the petitioners, the electricity supply will stand disconnected.

3. The petitioners have stated that due to the current situation and severe financial constraints, the petitioners are not in a position to pay the entire Additional Security Deposit in one lumpsum. The petitioners have therefore made representations on 30.07.2020, 04.08.2020, 05.08.2020 and 30.07.2020 respectively to the respondents to permit the petitioners to pay the Additional Security Deposit in 10 equal monthly instalments. Since it was not acted upon, the present Writ Petitions have 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.M.Vijay Meghanath, 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 petitioners to pay the

Additional Security Deposit claimed by the second respondent in 6 equal monthly instalments commencing from September 2020. If, in case, the petitioners default in making the payment, it is always open to the respondents to initiate appropriate action in accordance with law.

7. Writ Petitions are disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

dixit
To

- 1.The Chairman,
Tamil Nadu Generation and Distribution Corporation Limited,
144, Anna Salai,
Chennai - 600 002.
- 2.The Superintending Engineer,
Gopi Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Limited,
Gopi.
- 3.The Superintending Engineer,
Virudhunagar Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation
Limited,
Virudhunagar.
- 4.The Superintending Engineer,
Coimbatore South Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Limited,
Coimbatore.
- 5.The Superintending Engineer,
Dindigul Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Limited,
Dindigul.

+4ccs to Mr.R.S.Pandiyaraj , Advocate SR.No. 27336 to 27339
W.P.Nos.10980,10982,10983 &
10984/2020

A.SK(04/09/2020)