

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.11410 of 2020

Elljay Textiles (P) Ltd HTSC No.090
Dindigul - Karaikudi Main Road,
Singampunary - 630 502,
Sivagangai, Sivagangai District,
Rep. by its Authorized Signatory
P.S.G.Rajakulandaivel

...Petitioner

Vs.

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

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to permit the petitioner to pay the Additional Security Deposit of Rs.26,29,384/- alone in 10 equal monthly installments along with the regular current consumption charges.

For Petitioner : Mr.R.S.Pandiyaraj
For Respondents : Mr.N.Damodharan
Standing Counsel

O R D E R

This writ petition has been filed for a direction to the respondents to permit the petitioner to pay the Additional Security Deposit in 10 equal monthly installments.

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 29.07.2020 to pay the Additional Security Deposit of Rs.26,29,384/- 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 31.07.2020 to the respondents to permit the petitioner to pay the Additional Security Deposit in installments. 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.N.Damodharan, 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 6 installments. 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 installments commencing from September 2020. If in 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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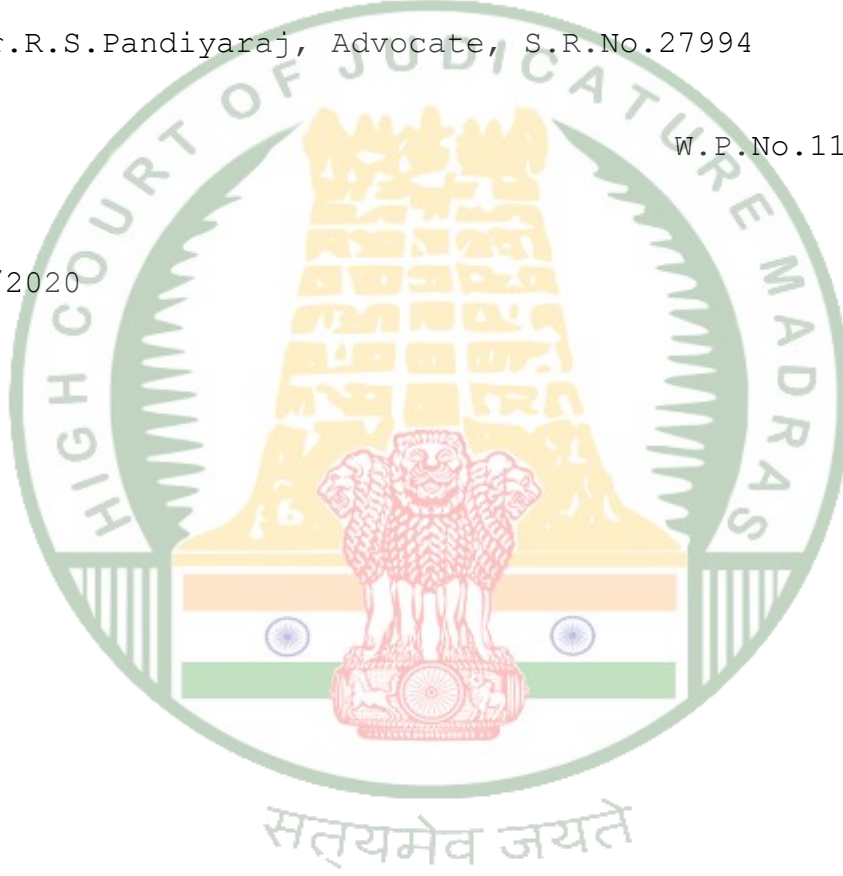
To:

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

+1cc to Mr.R.S.Pandiyaraj, Advocate, S.R.No.27994

W.P.No.11410 of 2020

EV(CO)
KKV/04/07/2020



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