

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.11640 of 2020

and

WMP No.14285 of 2020

Shakkthi Ohmkaara Spinners
Represented by its Managing partner
U.R. Radhakrishnan
HTSC NO 325
SF.NO 5/A3-A
Uralpatti Post
Udumalpet Taluk- 642 204.Petitioner

Vs.

1 The Chairman Cum Managing Director
Tamil Nadu generation and Distribution Corporation Ltd,
10th Floor, NPKRR Maligai
No. 144 Anna Salai
Chennai-600 002.

2 The Superintending Engineer
Udumalpet electircity Distribution Circle
Tamil Nadu Electricity Board
Tirupur Road
Udumalpet- 642 204Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the 2nd Respondent to permit the petitioner to pay the Additional current consumption Deposit amount of Rs.23,30,683 (Rupees Twenty Three Lakhs Thirty Thousand Six Hundred and Eighty Three Only) for the Petitioner Mill Service Connection No.HTSC No.325 at SF No.5/A3A Uralpatti Post Udumalpet Taluk 642204 in 6 (six) equal monthly instalments.

For Petitioner : Mr. M.Kamalanathan

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 consider the request made by the petitioner, wherein, the petitioner has requested for payment of Additional Security Deposit in 6 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 24.07.2020 to pay the Additional Security Deposit of Rs.23,30,683 (Rupees Twenty Three Lakhs Thirty Thousand Six Hundred and Eighty Three Only) over and above the existing deposit on or before 24.08.2020. 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 on or before 24.08.2020. The petitioner has, therefore, made a representation on 30.07.2020 to the second respondent to permit the petitioner to pay the Additional Security Deposit in 6 (six) instalments. Since it was not acted upon, the present writ petition has been filed before this Court seeking for appropriate direction.

4. Heard Mr.M.Kamalanathan, 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 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 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. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

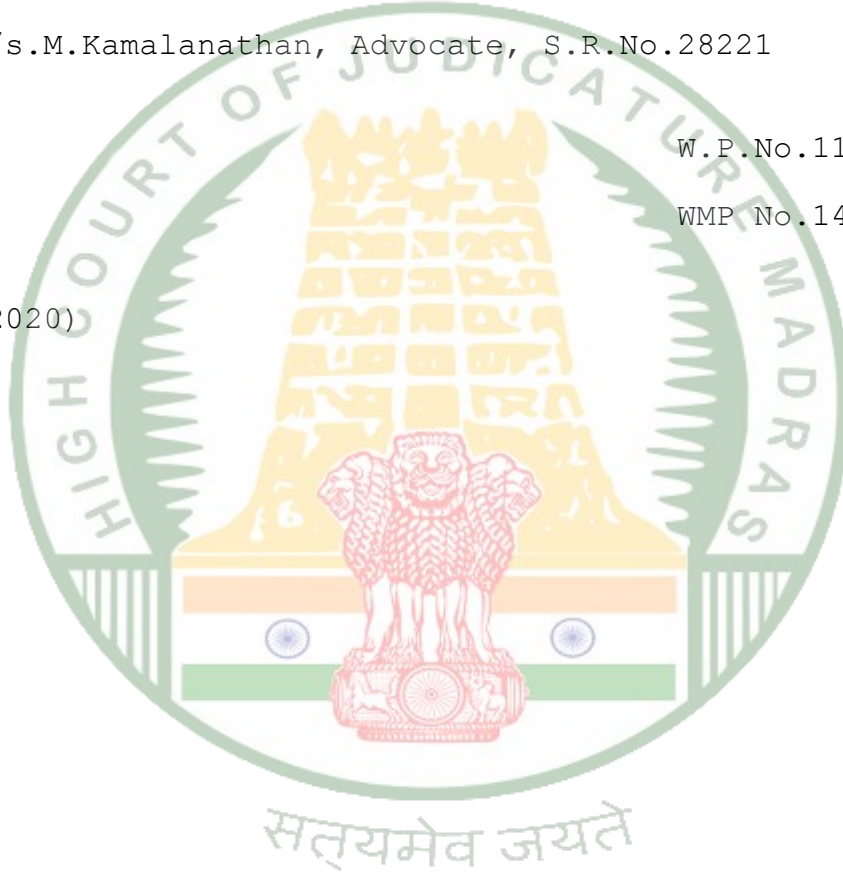
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+1cc to M/s.M.Kamalanathan, Advocate, S.R.No.28221

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MTI (CO)
RV(27/11/2020)



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