

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.No.11931/2020

Annur Sri Ambal Fabrics [P]
Ltd, SF.No.492/1, M.Nallankattu
Thottama, A.Kumarapalayam Post,
Mettupalayam, Annur,
Coimbatore 641653
rep.by its Managing Director
K.C.Sundaram

..Petitioner

Versus

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

..Respondents

Prayer:-Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st and 2nd respondents to permit the petitioner to pay the Additional Security deposit of Rs.33,90,654/- alone in 10 equal monthly instalments along with the regular current consumption charges.

For Petitioner	:	Mr.V.Jayapalan
For Respondents	:	Mr.N.Damodharan Standing counsel

ORDER

- (1) 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 ten 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 2nd respondent has revised the Security Deposit and has informed the petitioner through its letter dated 29.07.2020 to pay the Additional Security Deposit of Rs.33,90,654/- over and above the existing deposit in one lump sum. 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 lump sum. The petitioner has, therefore, made a representation on 20.08.2020 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.V.Jayapalan, learned counsel for the petitioner and Mr.N.Damodharan, learned Standing counsel accepting notice 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 WP.No.10947 of 2017 and WP.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 2nd respondent in six equal monthly instalments and the first instalment shall be paid on or before 14.09.2020. 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)The 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 & Distribution
Corporation Limited, 144, Anna Salai
Chennai 600 002.

2.The Superintending Engineer
Coimbatore North Electricity Distribution Circle
Tamil Nadu Generation & Distribution
Corporation Limited, Coimbatore.

+1cc to Mr.V.Jayapalan, Advocate in Sr.28949

WP.No.11931/2020

SS (CO)
RV (14/09/2020)