

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-09-2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.13257 of 2020 &
WMP.No.16411 of 2020

Mrs. Malini Ravindran,
represented by her Power Agent
T.R.Jayanandan

... Petitioner

Vs.

1.The Tamilnadu Generation and Distribution
Corporation Limited,
rep. By its Chairman,
Chennai E.D.U/South-II,
110, KV Sub Station Complex,
Anna Main Road,
Chennai 600 078.

2.Superintending Engineer,
Tamilnadu Generation and Distribution
Corporation Limited,
Chennai E.D.U/South - II,
110, KV Sub Station Complex,
Anna Main Road,
Chennai 600 078.

...Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Certiorari calling for the records of the Impugned letter in Lr.No.SE/CHENNAI (SOUTH) - IIEDC/DFC/AO/AS/HT SCNO.099094011076/D.No.20, dt.03.08.2020 on the file of the 2nd respondent and quash the same.

For Petitioner : Mr.P. Harsharaj

For Respondents : Mr.N.Damodharan,
Standing Counsel

O R D E R

This writ petition has been filed for a direction to call for the records of the Impugned letter in Lr.No.SE/CHENNAI (SOUTH) - IIEDC/DFC/AO/AS/HT SCNO.099094011076/D.No.20, dt.03.08.2020 on the file of the 2nd respondent and quash the same.

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 its e-mail dated 3.8.2020, which was received by the petitioner on 13.8.2020 to pay the Additional Security Deposit / Additional current consumption deposit of Rs.23,17,010/- 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 / Additional current consumption deposit in one lump sum. On receipt of impugned demand notice, the petitioner sent a letter to the respondents through e-mail on 19.09.2020 seeking to furnish calculation work sheet. Since it was not acted upon, left with no other alternative, the present writ petition has been filed before this Court seeking for appropriate direction.

4.Heard Mr.P. Harsharaj, 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 / Additional current consumption deposit claimed by the second respondent in six (6) equal monthly instalments and the first instalment shall be paid on or before 28.09.2020. 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. Consequently connected WMP.No.16411 of 2020 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

msr

To

1.The Chairman,The Tamilnadu Generation and Distribution Corporation Limited,
Chennai E.D.U/South-II, 110, KV Sub Station Complex,
Anna Main Road,
Chennai 600 078.

2.Superintending Engineer,
Tamilnadu Generation and Distribution Corporation Limited,
Chennai E.D.U/South - II,
110, KV Sub Station Complex,
Anna Main Road,
Chennai 600 078.

VG II(CO)
CB(02/11/2020)

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