

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.12017 of 2020

Eastern Common Effluent Treatement Company Pvt. Ltd.

HTSC No.202

S.F.No. 3/1 and 4/2 Kasipalayam

Nallur Village

Vijayapuram Post

Tirupur -641 606

Rep. by its Chairman

R.Gunasekaran

...Petitioner

Vs.

1 The Chairman

Tamil Nadu Generation and Distribution Corporation Limited

No. 144 Anna Salai

Chennai-600 002.

2 The Superintending Engineer

Tirupur Electricity Distribution Circle

Tamilnadu Generation and Distribution Corporation Limited

Tirupur.

...Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India, seeking Writ of Mandamus, Directing the 1st and 2nd Respondent to permit the Petitioner to pay the Additional Security Deposit of Rs.58,60,313/- alone in 10 equal monthly instalments 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 consider the request made by the petitioner, wherein, the petitioner has requested for payment of Additional Security Deposit in 10 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 30.07.2020 to pay the Additional Security Deposit of Rs.58,60,313/- over and above the existing deposit on or before 28.08.2020. 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 28.08.2020. The petitioner has, therefore, made a representation on 17.08.2020 to the respondents to permit the petitioner to pay the Additional Security Deposit in ten instalments. 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 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, and the first instalments shall be paid on or before 14th 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(CS III)

//True Copy//

Sub Assistant Registrar

mra

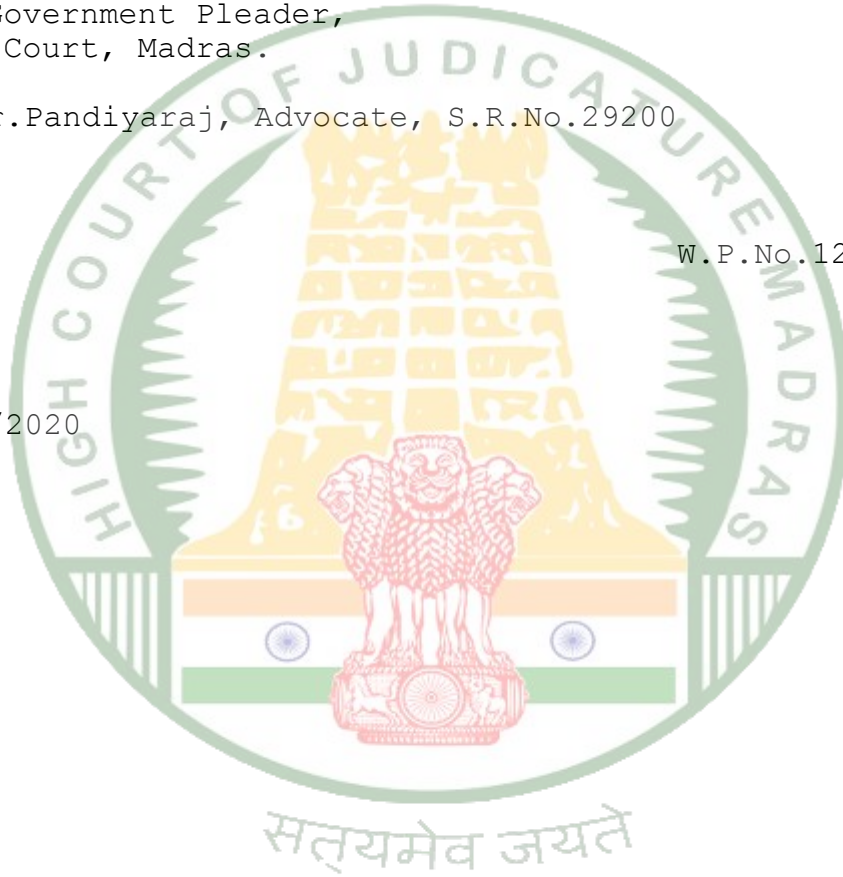
To

- 1 The Chairman
Tamil Nadu Generation and Distribution Corporation Limited
No. 144 Anna Salai
Chennai-600 002.
- 2 The Superintending Engineer
Tirupur Electricity Distribution Circle
Tamilnadu Generation and Distribution Corporation Limited
Tirupur.
3. The Government Pleader,
High Court, Madras.

+1cc to Mr.Pandiyaraj, Advocate, S.R.No.29200

W.P.No.12017 of 2020

MG (CO)
KKV/10/09/2020



WEB COPY