

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-09-2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.12240 of 2020

Vijayalakshmi Textiles,
Represented by its Managing Partner
S.Vijayalakshmi
HT SC No.049094360133
128, Mathampalayam Village & Post,
Punjai Puliampatti (via) 638 459
Sathy Taluk, Erode District. Petitioner

Vs.

- 1.The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited, (TANGEDCO),
No.144, Anna Salai,
Chennai-600 002.
- 2.The Superintending Engineer,
Gobi Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation Limited, (TANGEDCO)
132-D Cutcherry Street,
Gobichettipalayam-638 452. Respondents

PRAYER : Writ Petition 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.21,66,352/- (Rupees Twenty one lakhs sixty six thousand three hundred and fifty two only) for the Petitioner Mill service connection HTSC No.049094360133 at 128, Mathampalayam Village & Post , Punjai Puliampatti (via) 638 459, Sathy Taluk, Erode District in 6 (six) equal monthly instalments and pass orders.

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 / Additional current consumption deposit amount 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 22.07.2020 to pay the Additional Security Deposit / Additional current consumption deposit of Rs.21,66,352/- 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 / Additional current consumption 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/ Additional current consumption deposit in 6 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.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 / Additional current consumption deposit claimed by the second respondent in 6 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.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
No.144, Anna Salai,
Chennai-600 002.

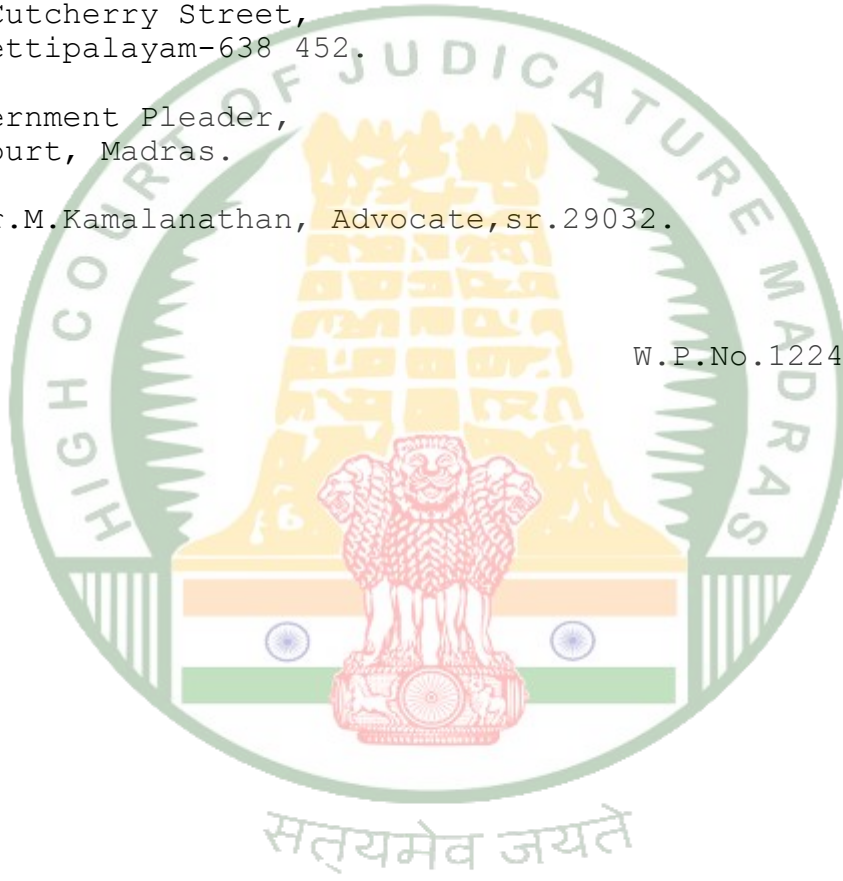
2.The Superintending Engineer,
Gobi Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation Limited, (TANGEDCO)
132-D Cutcherry Street,
Gobichettipalayam-638 452.

3.The Government Pleader,
High Court, Madras.

+lcc to Mr.M.Kamalanathan, Advocate, sr.29032.

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