

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.12599 of 2020
and
W.M.P.No.15556 of 2020

Rajkamal Textiles
Rep by its Managing Partner
C.Rajendran,
HT SC No.039094390267
S.F.No.238/3, Therku Thottam,
Appanickenpatti Post,
Sulur Via, Palladam Taluk,
Coimbatore 641 402.

... Petitioner

Versus

- 1.The Chairman cum Managing Director,
Tamil Nadu Generation & Distribution
Corporation Limited, (TANGEDCO),
144, Anna Salai
Chennai 600 002.
- 2.The Superintending Engineer
Palladam Electricity Distribution Circle
Tamil Nadu Generation & Distribution
Corporation Limited (TANGEDCO),
56-B, Trichy Road,
Palladam 641 667,
Tiruppur District.

.. Respondents

Prayer:-Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 2nd respondent to permit the petitioner to pay the Additional Current Consumption Deposit amount of Rs.15,33,401/- for the petitioner mill service connection HTSC No.039094390267 at S.F.No.238/3, Therku Thottam, Appanickenpatti Post, Sulur via., Palladam Taluk, Coimbatore 641 402 in 6 equal monthly instalments.

For Petitioner : Mr.M.Kamalanathan
For Respondents: Mr.N.Damodharan
Standing counsel

ORDER

This writ petition has been filed for a direction to the second respondent to consider the request made by the petitioner, wherein, the petitioner has requested for payment of Additional Security Deposit in six 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 27.07.2020 to pay the Additional Security Deposit of Rs.15,33,401/- 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 19.08.2020 to the respondents to permit the petitioner to pay the Additional Security 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 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 21.09.2020. 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 miscellaneous petition is also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Gsk

To

- 1.The Chairman cum Managing Director,
Tamil Nadu Generation & Distribution
Corporation Limited, (TANGEDCO),
144, Anna Salai
Chennai 600 002.
- 2.The Superintending Engineer
Palladam Electricity Distribution Circle
Tamil Nadu Generation & Distribution
Corporation Limited (TANGEDCO),
56-B, Trichy Road,
Palladam 641 667, Tiruppur District.

+1cc to Mr.M.Kamalanathan, Advocate, S.R.No. 29690

WP.No.12599 of 2020 and
W.M.P.No.15556 of 2020

MR(CO)
GN(13/10/2020)

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