

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.15201 of 2020

M/s.VGP Marine Kingdom Private Ltd.,
represented by its Director
Mr. Ravidas, having office at
VGP Square, No.6, Dharmaraja Koil
Street, Saidapet, Chennai 600 015. ... Petitioner

Vs.

1. Tamil Nadu Generation and Distribution Corporation
Limited (TANGEDCO),
represented by its Chairman and Managing
Director, No.144, Anna Salai,
Chennai 600 002.
2. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Chennai E.D.C./South-II 110 KV
Sub Station Complex, Anna Main Road,
K.K.Nagar, Chennai.Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the respondents herein to permit the petitioner to pay the Additional current Consumption Deposit of Rs.18,39,944/- (Eighteen Lakhs Thirty Nine Thousand nine hundred and forty four only) in 10 equal monthly installments in respect of the Petitioner High Tension Consumer Connection Vide service No.099094011075 .

For Petitioner : Mr.Prem Auxilian Raj

For Respondents :Mr.P.Gunaraj, 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 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 27.07.2020 to pay the Additional Security Deposit / Additional current consumption deposit of Rs.18,39,944/- 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. The petitioner has therefore made a representation on 25.10.2020 to the respondents to permit the petitioner to pay the Additional Security Deposit/ Additional current consumption 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.Prem Auxilian Raj, learned counsel appearing on behalf of the petitioner and Mr.P.Gunaraj, 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 05.11.2020. 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-III)

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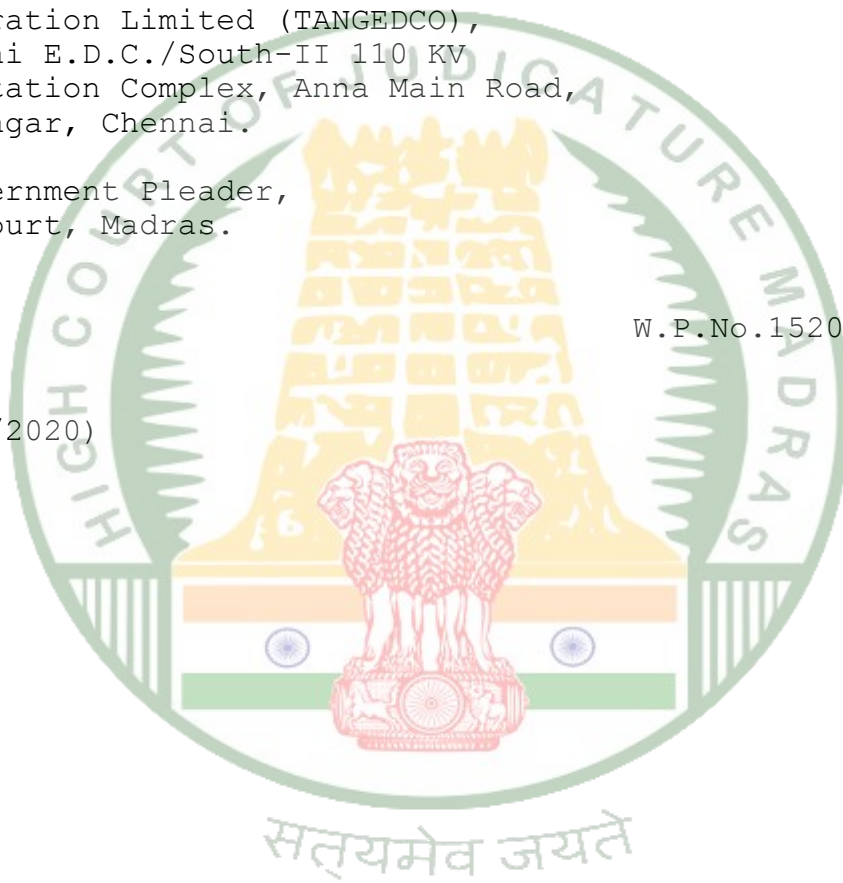
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To

1. Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO),
represented by its Chairman and Managing Director, No.144, Anna Salai,
Chennai 600 002.
2. The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO),
Chennai E.D.C./South-II 110 KV
Sub Station Complex, Anna Main Road,
K.K.Nagar, Chennai.
- 3.The Government Pleader,
High Court, Madras.

W.P.No.15201 of 2020

SRA (CO)
GMY (09/11/2020)



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