

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Thirtieth day of November Two Thousand Twenty

PRESENT

THE HON`BLE MR.JUSTICE N.ANAND VENKATESH

WMP Nos.21440 and 21446 of 2020

IN WP.17326/2020

SAM TURBO INDUSTRY LTD., [PETITIONER IN BOTH THE PETITIONS]
HTSC NO.049094360068,
380/1,PUDUPEERKADAVU,
VILLAGE BHAVANISAGAR,
SATHAYMANGALAM TALUK,
ERODE DISTRICT

Vs

1 THE CHAIRMAN [RESPONDENTS IN BOTH THE PETITIONS]
TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED 144,
ANNA SALAI, CHENNAI 600 002

2 THE SUPERINTENDING ENGINEER
GOPICHETTIPALAYAM ELECTRICITY
DISTRIBUTION CIRCLE, TANGEDCO,
GOPICHETTIPALAYAM

Petitions praying that in these circumstances stated therein and in the affidavits filed therewith the High Court will be pleased to

(i) issue an order of interim stay of the order of the 2nd Respondent dated 29.10.2020 in Lr.No. SE / GEDC /DFC / AO / REV / AS / HT/F.HT.SC. No. / D.No. 302 /2020 and all proceedings pursuant and consequent thereto to the extent of making full payment a pre-condition for reconnection of the petitioners service connection [in WMP.No.21440/2020] pending disposal of the WP.No.17326 of 2020.

(ii) issue an order of interim direction directing the Respondents to rework the petitioners dues in accordance with the directions of this Hon'ble court in WP No.7678 of 2020 dated 14.8.2020 and reconnect the petitioner service connection in HTSC No. 049094360068 and receive payment of the arrears in instalments in terms of Regulation 22(8) of the TNERC Supply code [in WMP.No.21446 of 2020] pending disposal of the WP.No.17326 of 2020.

Order : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of MR.R.PARTHASARATHY, Advocate for the petitioner in both the petitions and of MR.VIJAY MEHANATH, Standing Counsel on behalf of the Respondents in both the petitions, the court made the following order:-

It is seen from records that the 2nd respondent through the impugned letter dated 29.10.2020, has directed the petitioner to pay a total sum of Rs.2,02,42,605/-.

2. According to the petitioner, the service connection has already been disconnected in view of the non payment of the amount due and payable.

3. Taking into consideration, the facts and circumstances of the case, the following interim directions are issued:

(a) The petitioner is directed to deposit a sum of Rs.1 crore (rupees one crore only) before the 2nd respondent and immediately on such deposit, the 2nd respondent is directed to restore the Electricity Connection.

(b) The petitioner is directed to deposit a further sum of Rs.50 lakhs (Rupees fifty lakhs only) on or before 04.01.2021.

(c) The 2nd respondent is directed to re-work the amount payable by the petitioner in accordance with the directions issued by this Court in WP.Nos.7678 etc., batch of 2020 dated 14.08.2020 and issue the revised bill to the petitioner. This process shall be completed by the 2nd respondent within a period of four weeks from the date of receipt of copy of this order.

(d) The petitioner on receipt of the revised bill, shall pay the balance amount, if any, to the 2nd respondent on or before 04.02.2021.

(e) The above payments shall be made in addition to the bills raised towards the current consumption charges and ;

(f) if the petitioner fails to comply with any one of the direction issued by this Court, it is left open to the 2nd respondent to take action in accordance with law without any further reference to this Court.

4. Both these petitions are disposed of accordingly.

-sd/-

30/11/2020

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE CHAIRMAN
TAMILNADU GENERATION AND DISTRIBUTION
CORPORATION LIMITED 144,
ANNA SALAI, CHENNAI 600 002

2 THE SUPERINTENDING ENGINEER
GOPICHETTIPALAYAM ELECTRICITY DISTRIBUTION
CIRCLE, TANGEDCO, GOPICHETTIPALAYAM

Order

in

WMP Nos.21440 and 21446 of 2020

IN WP.17326/2020

Date :30/11/2020

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RR 04/12/2020 [IT]