



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :12.06.2020

CORAM:

THE HONOURABLE JUSTICE C.V.KARTHIKEYAN

W.P. (MD)No.6531 of 2020

and

W.M.P. (MD) .No.5875 of 2020

WEB COPY

Madha Ice Factory,

Represented by its Propreitor,

A.S.Lawrence

... Petitioner

Vs.

1.The Superintendent Engineer (Distribution),
TANGEDCO, Tamil Nadu (Electricity Board
Tirunelveli, Tirunelveli District.

2.The Executive Engineer (Distribution)

TANGEDCO, Tamil Nadu (Electricity Board),
Vallioor, Tirunelveli District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents herein to give 6 equal monthly instalments to pay a sum of Rs.6,13,092/- towards March and April month electricity charges in respect of S.C.No.073-012-923 at 4/425, Kaniyakumari Main Road, Uvari-627 651, Tirunelveli District.

For Petitioner : Mr.T.Pon Ramkumar

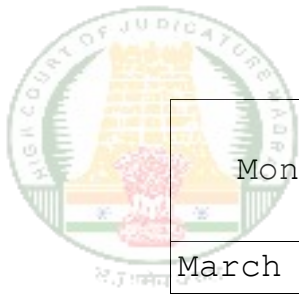
For Respondents : Mrs.Rajeswari
for S.M.S.Johny Basha
Standing Counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.Heard the learned Counsel for the petitioner and Mrs.Rajeswari for S.M.S.Johny Basha, learned Standing Counsel, who takes notice on behalf of the respondents.

3.The petitioner is in due of electricity charges to be payable to respondents are as follows



Month	Electricity actually consumed by the petitioner	Amount to be payable by the petitioner
March 2020	41112 units	Rs.2,77,884/-
April 2020	49689 units	Rs.3,34,858/-
May 2020	21702 units	Rs.1,48,263/-

4.The petitioner claims inability to pay the same in one instalment. In the counter affidavit it has been stated the petitioner is a chronic defaulter in paying the Electricity charges. On an earlier occasion, the petitioner has not paid the electricity charges and service connection was disconnected and after remitting the current consumption charges, the service connection was restored.

5.However, in the present case, the petitioner pleads inability to pay the electricity charges in view of the lock down owing to COVID-19 pandemic. Therefore, without going into the facts deeply, a direction is issued to the petitioner to pay the first instalment a sum of Rs.4,00,000/- (Rupees Four Lakhs only) on or before 15.06.2020 and pay the balance amount on or before 17.07.2020.

6.The learned Counsel for the respondents insisted that this order shall not be taken as a precedent for other holders of service connection, for similar relief. It is applied only to the present petitioner.

7. With the above observations, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Rm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

Order made in

W.P. (MD)No.6531 of 2020

12.06.2020

VB (16.06.2020) 2P 1C

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