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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2021

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.15254 OF 2021

AND

W.M.P.NO.16145 OF 2021

Velavan Textiles Ltd.,
Rep. by K.Arunkumar,
Lease holder of M/s. Eastern Spinwell Ltd.,
HT SC No.039094320181,
SF No.472/1A, Pothiyampalayam Road,
Arasur Village, Coimbatore-641407.

.. Petitioner

Vs.

1. The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
144, Anna Salai, Chennai-600 002.

2. The Superintending Engineer,
Coimbatore/South E.D.C,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Tatabad, Coimbatore-641012.

.. Respondents

Prayer:-

The Writ Petition is filed under Article 226 of Constitution of India for writ of Mandamus, directing the 2nd respondent to permit the petitioner to pay the Additional Current Consumption Deposit amount of Rs.20,93,804/- (Rupees Twenty lakhs ninety three thousand eight hundred and four only) for the Mill service connection No. HTSC No.039094320181 at SF No.472/1A, Pothiyampalayam Road, Arasur Village, Coimbatore-641407 in 6 (six) equal monthly instalments.

For Petitioner : Mr.D.Sivaraam

For Respondents : Mr.M.Abul Kalam, T.N.E.B.



ORDER

The writ petitioner seeks a direction to the 2nd respondent to permit the petitioner to pay the Additional Current Consumption Deposit amount of Rs.20,93,804/- in 6 equal monthly installments.

2. Mr.D.Sivaraam, learned counsel for the petitioner relying upon the order passed by this Court in W.P.No.11979 of 2021 dated 19.05.2021 seeks similar order in the present Writ Petition on the same lines.

3. Mr.M.Abul Kalam, learned Standing counsel for the respondents would also fairly accede that this Court has passed the earlier order dated 19.05.2021 in WP.No.11979 of 2021 in respect of the similar subject matter.

4. In the light of the aforesaid submissions of the learned counsel on either side, this Court is inclined to pass an order on the same lines. The order dated 19.05.2021 passed by this Court in WP.No.11979 of 2021 is extracted here under:

" The petitioner seeks permission to pay the demanded Additional Security Deposit in six equal monthly installments along with the regular current consumption charges.

2. The petitioner states that a Security Deposit has already been made and is available with the respondents. However, the respondents have demanded an Additional Security Deposit, which the petitioner finds difficult to pay in one lump sum as demanded by the respondents. Learned counsel points out that in similar cases, several orders have been passed by this Court. He also invites the attention of this Court to one such order.

3. Learned Standing Counsel for TANGEDCO accepts notice on behalf of the respondents and is agreeable to the payment of the Additional Security Deposit in six equal monthly installments.

4. Accordingly, the Writ Petition is disposed of by permitting the petitioner to pay the Additional Security Deposit demanded by the respondents in six equal monthly installments. The first installment shall be paid on or before 15.06.2021 and the subsequent installments on



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or before the 15th of each of the succeeding five months. In the event of default, the petitioner shall, ipso facto, lose the benefit of this Order and the respondent shall be at liberty to initiate appropriate legal proceedings in respect thereof in accordance with law.

5. Writ Petition No.11979 of 2021 is disposed of on the above terms without any order as to costs."

5. The aforesaid order will hold good for the present Writ Petition also. Accordingly, the Writ Petition is disposed of by permitting the petitioner to pay the Additional Current Consumption Deposit amount of Rs.20,93,804/- (Rupees twenty lakhs ninety three thousand eight hundred and four only) demanded by the respondents in six equal monthly installments. The first installment shall be paid on or before 1.08.2021 and for the remaining 5 installments shall be paid on or before the 15th of every succeeding month. Last installment shall be paid by the petitioner on or before 1.1.2022. In the event of default of any of the instalments, the petitioner shall, ipso facto, lose the benefit of this Order and the respondent shall be at liberty to initiate appropriate legal proceedings in respect thereof in accordance with law. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

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Sub Assistant Registrar

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To

1. The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd.
(TANGEDCO), 144, Anna Salai, Chennai-600 002.

2. The Superintending Engineer,
Coimbatore/South E.D.C,
Tamil Nadu Generation and Distribution Corporation Ltd.
(TANGEDCO), Tatabad, Coimbatore-641012.

+2cc to Mr.R.Thamos, Advocate, S.R.No.35446

+1cc to Mr.M.A.Kalam, Standing Counsel, T.N.E.B, S.R.No.33658

W.P.No.15254 of 2021

and W.M.P.No.16145 of 2021

SJ(CO)

CS/12/08/2021