



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Tuesday, the Thirtieth day of November Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE M.DURAI SWAMY

and

THE HON`BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

CMP.No.16940 of 2021

IN WA.447 of 2016

M/S.TALENT STEEL INDUSTRIES (P) LTD., [PETITIONER]
REPRESENTED BY ITS DIRECTOR,
S.F.NO.476, KAREGOUNDENPALAYAM,
KARIYAMPALAYAM,
ANNUR, COIMBATORE 641 697.

Vs

1 THE CHAIRMAN, [RESPONDENTS]
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION LTD.,
ANNA SALAI, CHENNAI 600 002.

2 THE SUPERINTENDING ENGINEER
COIMBATORE ELECTRICITY DISTRIBUTION
CIRCLE/ NORTH, TATABAD,
COIMBATORE 641 012.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant extension of time of the order passed by this Hon'ble Court dated 27.11.2017 in W.A.No.447 of 2016, by permitting the petitioner to pay the arrears of consumptions charge by way of instalments together with belated payment surcharge initially at 40% and the remaining arrears amount by way of 10-monthly instalments in respect of H.T.S.C.NO.199.(in CMP.No.16940 of 2021)

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.G.VASUDEVAN, Advocate for the petitioner and of M/S.ABDUL KALAM(TANGEDCO) on behalf of the 1 and 2 Respondents, the court made the following order:-



(Order of the Court was made by M.DURAISWAMY, J.)

By order dated 27.11.2017 made in W.A.Nos.402 & 447 of 2016, the Division Bench of this Court, while allowing the Writ Appeals, directed the respondents in the Writ Appeals to pay 40% of the total arrears per connection within a period of eight weeks and to pay the balance amount in ten equal monthly installments. Further, the respondents were also directed to pay the current consumption charges and the appellants viz., TANGEDCO were directed to give re-connection forthwith on payment of 40% of the total arrears.

2.Now, the respondents in the Writ Appeal in W.A.No.447 of 2016 have filed the above petition in C.M.P.No.16940 of 2021 seeking for extension of time to pay the arrears of consumption charges by way of installments together with belated payment surcharge.

3.Mr.G.Vasudevan, learned counsel for the petitioner in C.M.P.No.16940 of 2021 submitted that the petitioner had paid 40% of the total arrears and had also paid six installments out of the ten installments permitted by the Division Bench of this Court in its order dated 27.11.2017. The learned counsel submitted that as on 17.05.2021, the total arrears payable by the petitioner was Rs.59,07,537.18 and that the petitioner is willing to pay 50% of the amount claimed by the TANGEDCO in their letter dated 17.05.2021 forthwith. Further, the learned counsel submitted that the petitioner is also willing to pay the balance amount in four equal monthly installments. The learned counsel also submitted that on payment of the 50% of the amount claimed by TANGEDCO, the respondents may be directed to re-connect the service connection.

4.Mr.Abdul Kalam, learned counsel for the respondents 1 & 2 has no objection for granting the prayer sought for by the learned counsel for the petitioner.

5.In view of the same, we direct the petitioner in C.M.P.No.16940 of 2021 to pay a sum of Rs.30,00,000/- (Rupees thirty lakhs only) within a period of one week from the date of receipt of a copy of this order and on making such payment, the respondents in the petition are directed to re-connect the service connection forthwith. The petitioner is also directed to pay the balance amount as on the date of actual payment in four equal monthly installments commencing from 04.01.2022. It is made clear that any default committed by the petitioner either in paying the sum of Rs.30,00,000/- or in paying the monthly installments, it is open to TANGEDCO to disconnect the service connection.



6. With the above observations, the Civil Miscellaneous Petition in C.M.P.No.16940 of 2020 is disposed of.

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30/11/2021
/ TRUE COPY /

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

TO

1 THE CHAIRMAN,
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION LTD.,
ANNA SALAI, CHENNAI 600 002.

2 THE SUPERINTENDING ENGINEER
COIMBATORE ELECTRICITY DISTRIBUTION
CIRCLE/ NORTH, TATABAD,
COIMBATORE 641 012.

Order
in
CMP.No.16940 of 2021
IN WA.447 of 2016

Date : 30/11/2021

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