



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Third day of December Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE M.DHANDAPANI

WMP.Nos.27144 and 8686 of 2021

in WP.No.8117 of 2021

M/S.SAI KRISHNA STEEL [PETITIONER IN BOTH THE PETITIONS]
INDUSTRIES, REP BY MANAGER,
BABU P.D. SF NO.1961,
2, 3, B, 4 BILLANAKUPPAM VILLAGE,
VEPPANAPALLI ROAD, KRISHNAGIRI TALUK,
KRISHNAGIRI- 635 115.

Vs

1 THE SUPERINTENDING ENGINEER [RESPONDENTS IN BOTH THE PETITIONS]
KRISHNAGIRI ELECTRICITY DISTRICT CIRCLE,
110 KV SS CAMPUS, KATTIGANAPALLI,
KRISHNAGIRI - 635 002.

2 THE EXECUTIVE ENGINEER,
O AND M , KRISHNAGIRI
HIG -64, PHASE- II,
NEW HOUSING BOARD,
KRISHNAGIRI - 635 001.

3 THE DEPUTY FINANCIAL CONTROL
CO/ KRISHNAGIRI

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Direct the Respondents to effect the supply of the High Tension Service 6000 KVA at 33 KV Level to the Petitioner industry without demanding monthly minimum charges [in WMP.No.27144 of 2021] pending disposal of the above WP.No.8117 of 2021;

2. To stay the order dated 02.03.2021 issued by the 1st respondent, the superintending Engineer in proceedings No.Lr.No189/SE/KEDC/K giri/AEE/Dev/AE.1/F.New HT (Sai Krishna)/21 directing the petitioner company to pay the minimum charges from 08.09.2020 upto date of availing supply on or before 07.03.2021 and also directing the petitioner to avail HT Supply by procuring 2 Nos



110/KV/5A/HT ToD Meters, failing which the HT Application will be cancelled and agreement executed will also be terminated and forfeiting all the amount remitted by the petitioner, [in WMP.No.8686 of 2021] pending disposal of the above WP.No.8117 of 2021 Respectively.

Order : These petitions coming on this day for hearing upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.RITA PARTHASARATHY, for M/S.R.MEENAKSHI, Advocate for the petitioner in both the petitions and of MR.J.RAVINDRAN, ADDITIONAL ADVOCATE GENERAL Assisted by MR.L.JAIVENKATESH, GOVERNMENT ADVOCATE on behalf of the Respondents in both the petitions, the court made the following order:-

These petitions have been filed for interim direction for effecting High Tension Service 6000 KV Level to the petitioner industry without demanding monthly minimum charges till the disposal of the main Writ Petition.

2. The case of the petitioner is that he initially applied for HT service connection through online on 21.06.2019 and he has also paid the requisite charges. However, due to the pandemic situation, the petitioner could not submit the requisite materials and, therefore, the petitioner made a representation dated 03.07.2020 to the Respondents requesting not to effect the supply of the above HT Service and to keep the same in abeyance for a period of ten months. In this regard, the petitioner filed W.P. No.9380 of 2020.

3. In the said W.P. No.9380/2020, this Court vide its order dated 20.07.2020 directed the 1st Respondent to consider the petitioner's representation dated 03.07.2020 and pass appropriate orders in accordance with law within a period of four weeks. However, thereafter, the 1st Respondent issued a letter dated 19.08.2020 to the petitioner demanding meter cost and after adjudication, the 1st Respondent had passed an impugned order dated 02.03.2021 demanding minimum charges and meter cost against which the present Petition is filed.

4. It is the submission of the learned counsel for the petitioner that due to the pandemic situation, the petitioner is unable to remit the charges at that point of time, but on instructions, learned counsel submits that the petitioner is ready to deposit 30% of the amount demanded and to furnish the bank guarantee for the balance amount as sought for by the 1st Respondent.

5. Considering the fair stand taken by the petitioner, balance of convenience is in favour of the petitioner. Therefore, there shall be an order of interim stay on condition of the petitioner deposits 30% of the amount as demanded by the 1st Respondent and furnishing bank guarantee for the balance amount within a period of 4 weeks from the date of receipt of a copy of this Order and on



such deposit being made, the 1st Respondent is directed to effect the service connection in favour of the petitioner within period of one week thereafter.

-sd/-
03/12/2021

WEB COPY

/ TRUE COPY /

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

TO

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C.C. to M/S.R.MEENAKSHI, Advocate, SR.No.7093/2021.

Order
in
WMP.Nos.27144 and 8686 of 2021
in WP.No.8117 of 2021

Date :03/12/2021

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