



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27542 of 2021

M/s.Sri Krishna Smelters Ltd
Rep. by its Director R.Duraisamy
No.III/1-13-77B, Old Idappadi Road,
Sankari,Salem District.

... Petitioner

Vs.

THE SUPERINTENDING ENGINEER
Tamilnadu Generation and Distribution
Corporation Ltd.
Mettur Electricity Distribution Circle,
Mettur Dam 636 401.

...Respondent

PRAYER : Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Certiorarified Mandamus, Call for the records relating to the Letter of the respondent in Lr.No. SE/MEDC / DFC/ AOR/ AAO/ HT/ F.HT.132/ D.No.562/21 dated 15.09.2021 and quash the same and consequently direct the respondent to waive the Belated Payment Surcharge in pursuant to the representation of the petitioner dated 15.11.2021 by permitting the petitioner to pay the balance of arrears of CC Charges by way of 10 monthly installment in respect of HTSC No. 132.

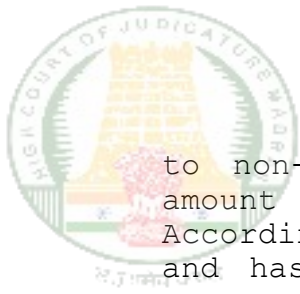
For Petitioner : Mr.G.Vasudevan

For Respondent : Mr.Abul Kalam
Standing Counsel

O R D E R

This writ petition has been filed for a direction to the respondent to consider the request made by the petitioner, wherein, the petitioner has requested for payment of current consumption charges amount in 10 equal monthly instalments.

2.The petitioner is having a HT service connection. With reference to the subject the HT.SC.No.132 belongs to the petitioner, was disconnected by the respondent on 18.12.2014 due



to non-payment of CC Charges for the month of 11/2014. The amount payable by the petitioner is Rs.12,55,522.40/- Accordingly, the respondent has issued notice dated 15.09.2021 and has informed the petitioner to pay the aforesaid current consumption charges. If this amount is not paid by the petitioner, the electricity supply will stand disconnected.

3.The petitioner had stated that due to the current situation and severe financial constraints, the petitioner is not in a position to pay the entire amount in one lump sum. The petitioner has therefore made a representation on 15.11.2021 to the respondent to permit the petitioner to pay the consumption charges in ten equal monthly instalments. Since it was not acted upon, the present writ petition has been filed before this Court seeking for appropriate direction.

4.Heard the learned counsel appearing on behalf of the petitioner and the learned Standing Counsel appearing on behalf of the respondent.

5.It is seen from the records that similar such request has been entertained by this Court and this Court considering the facts and circumstances of the case, has permitted the consumer to pay the consumption charges in ten equal instalments.

6.Taking into consideration the facts and circumstances of the case and the present situation that is prevailing, there shall be a direction to the petitioner to pay the electricity consumption charges claimed by the respondent in ten equal monthly instalments and the first instalment shall be paid on or before 10.01.2022. If in case, the petitioner defaults in making the payment, it is always open to the respondent to initiate appropriate action in accordance with law. The petitioner is directed to pay the consumption charges (in respect of the instalments 2 to 10) on or before every 10th day of English Calender month without any default.

7.The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar



rli
To

THE SUPERINTENDING ENGINEER
Tamilnadu Generation and Distribution
Corporation Ltd.
Mettur Electricity Distribution Circle,
Mettur Dam 636 401.

+lcc to Mr.G.Vasudevan, Advocate Sr.69362

W.P.No.27542 of 2021

ajs[col]
srg 03/01/2022