



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.05.2021

CORAM:

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.9502 of 2021
(Through video conferencing)

M/s.Balavigna Weaving Mills (P) Ltd.,
HTSC No.059094500258,
Uralipatti Road, Velvarkottai Post,
Vadamadurai, Dindigul Rep. by its
Administrative Director
V.Ravi Kumar

... Petitioner

Vs.

1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
TANGEDCO,
Dindigul Electricity Distribution Circle,
Dindigul.

... Respondents

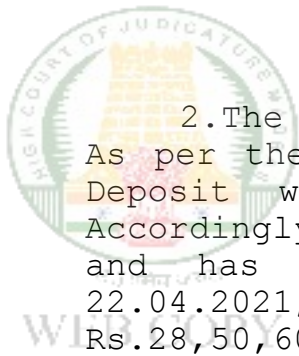
Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 1st and 2nd respondents to permit the petitioner to pay the Additional Security Deposit of Rs.28,50,602/- alone in 6 equal monthly installments along with the regular current consumption charges.

For Petitioner : Mr.V.Jayapalan

For Respondents : Mr.S.M.S.Johnny Basha
Standing Counsel

ORDER

This writ petition has been filed for the issuance of Writ of mandamus, directing the respondents to consider the request made by the petitioner, wherein, the petitioner has requested for payment of the Additional Security Deposit of Rs.28,50,602/- (Rupees Twenty Eight Lakhs Fifty Thousand Six Hundred and Two only) in 6 equal monthly installments.



2.The petitioner is having the High Tension Service Connection. As per the Tamil Nadu Electricity Supply Code, 2004, the Security Deposit will be revised every year under Regulations 5(5). Accordingly, the second respondent has revised the Security Deposit and has informed the petitioner through his letter, dated 22.04.2021, to pay the Additional Security Deposit of a sum of Rs.28,50,602/- (Rupees Twenty Eight Lakhs Fifty Thousand Six Hundred and Two only) over and above the existing deposit in one lump sum. It is also made clear in the letter issued by the second respondent that if this amount is not paid by the petitioner, the electricity supply will stand disconnected.

3.The petitioner has approached this Court and expressed severe financial constrains and is seeking for the payment of the Additional Security Deposit in 6 equal monthly installments. The petitioner also made a representation in this regard to the respondents on 05.05.2021. Since the same was not considered, the present writ petition has been filed before this Court, seeking for appropriate directions.

4.Heard Mr.V.Jayapalan, learned counsel appearing on behalf of the petitioner and Mr.S.M.S.Johnny Basha, learned Standing Counsel appearing on behalf of the respondents.

5.This Court had an occasion to deal with the same issue in a number of writ petitions, wherein, this Court took into consideration the pandemic situation and also the financial constrains faced by the High Tension supply consumers. This Court permitted the Additional Security Deposit to be paid in six equal monthly installments. The same order will also enure to the benefit of the petitioner, since the second wave of 'Corona' has virtually continued the pandemic situation and it is getting worse by the day.

6.Taking into consideration the facts and circumstances of the case, there shall be a direction to the petitioner to pay the Additional Security Deposit, claimed by the second respondent in six equal monthly installments commencing from 26th May 2021 onwards. If in case, the petitioner defaults in making the payment, it is always open to the respondents to initiate action in accordance with law.

7.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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Note:

1. Issue order copy on 20.05.2021.

2. 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.

+1 CC to M/s.V.JAYAPALAN, Advocate (SR-18579[F] dated 21/05/2021)

**W.P. (MD) .No.9502 of 2021
19.05.2021**

GS (23.06.2021) 3P 2C