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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31-01-2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.24060 OF 2016

AND

WMP.NOS.20576 AND 20577 OF 2016

R.Mathusuthanan

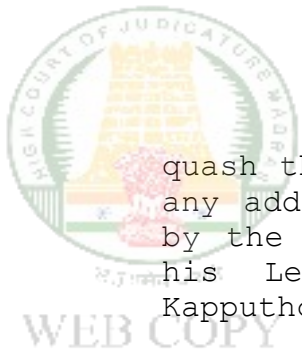
..Petitioner

vs.

1. The Chairman and Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
144, Anna Salai,
Chennai - 600 006.
2. The Superintending Engineer,
Udumalpet Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Udumalpet,
Thiruppur District.
3. The Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board,
Udumalpet,
Thiruppur District.
4. The Assistant Accounts Officer,
Udumalpet Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Udumalpet,
Thiruppur District.

..Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records in respect of the impugned proceedings of the fourth respondent herein dated 27.06.2016 in Letter No.Se.Po/E&Pe/Udumalai/U.Ka.Aa/Va.P/Accd/V.No.1189/16 and



quash the same consequently direct the respondents not to demand any additional security deposit from the petitioner as demanded by the third respondent in his proceedings dated 13.06.2016 in his Letter No.Se.Po/E&Pe/U.Ka.Aa/Va.P/udu/Kamel/Ko. Kooduthal Kapputhogai/A.No.1121/16.

For Petitioner : Ms.N.Premalatha for
Mr.R.Nalliyappan

For Respondents-1 to 4 : Mr.M.Abdul Kalam,
Standing Counsel for TANGEDCO.

O R D E R

The payment of additional security deposit sought for by the fourth respondent in the proceedings dated 27.06.2016, is under challenge in the present writ petition.

2. The petitioner has taken over possession of a godown existing at Door No.4/117/2, Tirumurthi Mills, Dhali Road, Bodipatti Post, Udumalpet Taluk, Thiruppur District and doing business therein. The petitioner is utilising the powers from Wind Energy Generators supplied by the third parties. In respect of the HT Service provided in the premises of the petitioner, the third respondent-Executive Engineer issued an order, asking the petitioner for payment of additional security deposit and the said order is under challenge in the present writ petition.

3. The demand of additional security deposit made by the fourth respondent if at all objected by the petitioner, they have to approach the Consumer Grievance Redressal Forum for adjudication of disputed issues. It requires scrutinisation of records and the basis on which such additional security deposit is demanded by the TANGEDCO Authority. Such an elaborate adjudication cannot be done in the writ proceedings. Thus, the petitioner is at liberty to approach the Consumer Grievances Redressal Forum under Regulation 10 of the Tamil Nadu Electricity Supply Code and in the event of filing any application, the Forum shall consider the period during which the writ petition was pending before the High Court for the purpose of condonation of delay, if any, and decide the issues on merits and in accordance with law and as expeditiously as possible.



4. With the abovesaid observations, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

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Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

Svn

To

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W.P.NO.24060 OF 2016

AK(CO)
RLP(10/02/2022)