



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.NO.13803 OF 2019

M/s.Harini Colours,
Rep. by its Partner S.Karthikeyan,
Old No.29, New No.43,
Lakshmi Nagar Main Road,
Tiruppur - 641 602.

... Petitioner

.Vs.

The Superintending Engineer,
TANGEDCO,
Tirupur Electricity Distribution Circle,
Tirupur - 641 602.

... Respondent

PRAYER:-

Writ Petition filed Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent or his subordinates to make payment of Rs.14,05,262/- relating to the Wind Mill Energy supplied by the petitioner to the respondent for the period 2014 to 2018 in pursuance of the Letter dated 24.12.2018 sent by the petitioner to the respondent.

For Petitioner : Mr.R.Thirugnanam

For Respondent : Mr.Abul Kalam
Standing counsel

ORDER

(1) The prayer in the writ petition reads as follows:-

'to direct the respondent or his subordinates to make payment of Rs.14,05,262/- relating to the Wind Mill Energy supplied by the petitioner to the respondent for the period 2014 to 2018 in pursuance of the Letter dated 24.12.2018 sent by the petitioner to the respondent.'



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(2) The respondent/Corporation has filed a counter admitting the quantum of monies due to the petitioner and claiming that in view of the pandemic and non-collection of the electricity consumption charges from various classes of consumers, the respondent/Corporation is finding it difficult to make a lump sum payment to the petitioner.

(3) Mr.Abul Kalam, learned counsel for the respondent/ Corporation would submit that the money payable to the petitioner would be adjusted in the bi-monthly electrical bills that are raised against the petitioner and according to him, the entire amount payable to the petitioner which is about Rs.14,05,262/- would stand adjusted within seven bi-monthly billing cycles.

(4) Mr.R.Thirugnanam, learned counsel for the petitioner would submit that the electricity charges incurred by the petitioner for each billing cycle would not exceed a Lakh of rupees and therefore, the period will cross over two years.

(5) Considering the submissions made on either side as well as the reasonableness of the claim made by the respondent/Corporation, the writ petition is disposed of with the following direction:-

'The respondent/Corporation shall adjust the monies payable to the petitioner for a period of seven bi-monthly billing cycles. If the entire amount payable to the petitioner is not adjusted within the seven bi-monthly billing cycles, the balance amount shall be paid by the respondent/ Corporation within a period of two months there from.'

No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

AP



To

The Superintending Engineer,
TANGEDCO,
Tirupur Electricity Distribution Circle,
Tirupur - 641 602.

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+1cc to Mr.R.Thirugnanam, Advocate, S.R.No.41886

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CA (CO)
PBS/04/07/2022