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W.P.No.26245 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.26245 of 2022
and WMP.No.25330 of 2022

M/s.Annai Steels,
Rep. by its Managing Director,
Rajesh. J.
S.F.No.315/1A,
Wallajah-Maleveeranam Road,
Malveeranam Village,
Wallajah Taluk, Vellore District,
Tamil Nadu – 632 505.

... Petitioner

-Vs-

1. The Chairman,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
10th Floor, NPK RR Maaligai,
144, Anna Salai,
Chennai – 600 002.
2. The Superintending Engineer,
Vellore Electricity Distribution Circle,
TANGEDCO/VEDC/Vellore – 4,
Gandhi Nagar, Vellore – 632 006.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India
praying for the issuance of a Writ of Mandamus, directing the respondents
to reconnect E.B. Service to the petitioner industry, and allow the



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petitioner to pay the arrears of consumption charges as 10 installments by considering the representation dated 22.09.2022.

For Petitioner : Ms.R.Meenakshi
For Respondents : Mr.L.Jai Venkatesh
Standing Counsel

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents to reconnect E.B. Service to the petitioner industry, and allow the petitioner to pay the arrears of consumption charges as 10 installments by considering the representation dated 22.09.2022.

2. The petitioner was having a industrial service connection for his industry, where there has been a consumption charges due for an amount of rupees 10 lakhs 93 thousand and odd. Since the said amount has not been paid and it is a long due to the respondents TANGEDCO, it seems that they have disconnected the electricity, only at this juncture, the present writ petition has been filed with the aforesaid prayer.

3. Heard Ms.R.Meenakshi, learned counsel appearing for the petitioner, who would submit that, since it is a running industry and the



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money is to be generated only if the industry is run, out of which, the due payable to the respondents TANGEDCO can be paid. Therefore, the electricity can be directed to restore, provided the petitioner to pay 40% of the due within a time frame that may be stipulated by this Court and for the remaining amount, some ease monthly installments of not less than five installments can be granted.

4. Mr.L.Jai Venkatesh, learned Standing Counsel appearing for the respondents TANGEDCO, on instructions would submit that, since the due was huge to the extent of nearly about 11 lakhs i.e., Rs.10 lakhs and 93 thousand, atleast the petitioner has to pay 50% of the due within a shortest possible period to be stipulated by this Court and for the remaining payment, within three equal monthly installments to be decided by this Court, the petitioner can be directed to be paid. Only, on these conditions, if this Court is pleased, the electricity service connection can be directed to be restored, he contended.

5. I have considered the said submissions made by the learned counsel appearing for the parties and have perused the materials placed



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before this Court.

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6. Since the petitioner wants to pay 40% of the amount due and in this regard since the due is more than 10 lakhs i.e., almost 11 lakhs, the respondents' counsel seeks atleast payment of 50%, this Court feels that since the due payable to the respondents for the consumption charges, which the petitioner has consumed long back, the plea raised by the respondents standing counsel to pay atleast 50% of the due is to be justified. In that view of the matter, this Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the petitioner to pay 50% of the due of Rs.10 lakhs and 93 thousand and odd within a period of two weeks from the date of receipt of a copy of this order. On such payment, the electricity service connection of the petitioner industry shall be restored by the respondents. On such restoration, the petitioner, thereafter can pay the remaining due in four equal monthly installments. If there is any default, even in one monthly installments, it is open to the respondents to take any action in accordance with law.



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With these directions, this writ petition is disposed of. No costs.

Connected miscellaneous petition is closed.

02.11.2022

mp

Index:Yes/No

Speaking order: Yes/No

Note: Issue order copy on 07.11.2022

To

1. The Chairman,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
10th Floor, NPK RR Maaligai,
144, Anna Salai,
Chennai – 600 002.
2. The Superintending Engineer,
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TANGEDCO/VEDC/Vellore – 4,
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R.SURESH KUMAR.J.,

mp

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