



W.P.No.12020 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.12020 of 2020

M/s.Shri PKP Spintex Mills (P) Ltd.,
Represented by its Managing Director,
P.K.Pounraj

. . . Petitioner

Vs.

1. The Chairman,
Tamil Nadu Electricity Board,
800, Anna Salai,
Chennai-600 002.
2. The Chief Financial Controller/Revenue
TANGEDCO (Accounts Branch)
Anna Salai,
Chennai-600 002.
3. The Chief Engineer,
Distribution-Vellore Region,
Vellore.
4. The Superintending Engineer,
Dharmapuri Electricity Distribution Circle,
Dharmapuri-5

. . . Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ, Order or Direction, more specifically a Writ of Certiorarified Mandamus calling for the records relating to the impugned orders of the fourth respondent dated 06.08.2020, bearing Ref No.Lr.No.SED/ DEDC/ DFC/ AS-HT/ F.HT.SC.No.421/ D.No.278/2020 and dated 22.09.2020 bearing ref. No.Lr.No.S/DEDC/DPI/DFC/AS/HTSCNo.421/D/No.290/2020 quash the same and as illegal and arbitrary and consequently direct the respondents to refund the additional security deposit lying to the credit of the petitioners electricity connection No.89094200421 after adjusting only the arrears of the Current consumption charges payable by the petitioner and without any other deductions.

For Petitioner : M/s.C.V.Shailandhran

For Respondents : Ms.Daniel Mary,
Standing Counsel for TANGEDCO

ORDER

Aggrieved by the impugned order of the 4th respondent, the petitioner is before this Court.

2. The petitioner company was sanctioned High Tension electricity service connection pursuant to the agreement entered into with the respondents. Due to default in payment of the consumption charges, the



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electricity service connection was disconnected and the petitioner was issued with notice dated 01.06.2020 calling upon to pay a sum of Rs.41,04,965/- towards the arrears of current consumption charges along with BPSC. While so, the petitioner sought to remit the arrears in four installments, however, his request was rejected. Thereafter, on 23.07.2020, the 4th respondent vide his communication had informed the petitioner of the excess security deposit to the extent of Rs.1,10,78,763/-. Hence, the petitioner vide his representation dated 30.07.2020 sought for refund of the entire amount lying to its credit after adjusting the dues payable by the petitioner towards the consumption charges, however, the petitioner's request was rejected by the 4th respondent vide the present impugned order dated 06.08.2020 informing the petitioner that refund would be processed only after expiry of the notice period prescribed under Clause 17(5) of TNERC's Supply Code. Challenging the same, the petitioner is before this Court.

3. When the matter is taken up, learned counsel for the petitioner submits that during the pendency of this Writ Petition, the petitioner has received only a sum of Rs.66 Lakhs and odd from the respondent board



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towards the refund of arrears. Hence, the petitioner may be permitted to canvass all the points before the Consumer Grievances Redressal Forum as against the demand amount.

4. On the above contention, this Court heard the learned Standing counsel appearing for the respondent board who has no objection for passing the said order.

5. In view of the fair submission made by the learned counsel for the petitioner, this Writ Petition stands disposed of with liberty to the petitioner to challenge the demand amount before the Consumer Grievance Redressal Forum. There shall be no order as to costs.

16.06.2023

Index : Yes / No

Internet : Yes / No

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M.DHANDAPANI, J

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