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W.P.Nos.17281 & 17285 to 17290 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.17281 & 17285 to 17290 of 2023

W.P.No.17281 of 2023

M/s.Lucky Yarn Tex India Pvt Ltd.,
No.290/2, Anangur Village,
Kumarapalaym Taluk,
Namakkal District,
Repd. by its Authorized Signatory G.Doraisamy

... Petitioner

vs.

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

2.The Superintending Engineer,
(TANGEDCO),
Namakkal Electricity Distribution Circle,
Namakkal.

... Respondents

Prayer in W.P.No.17281 of 2023: Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, directing the 1st and 2nd respondent to permit the petitioner to pay the Additional Security Deposit of Rs.51,57,393/- alone in 10 equal monthly installments, along with the regular current consumption charges.

For Petitioner : Mr.R.S.Pandiyaraj
(in all WPs)



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For Respondents : Mr.S.Kalaiselvan
(in W.P.No.17281 Standing Counsel
of 2023)

For Respondents : Mr.L.Jai Venkatesh
(in W.P.Nos.17285 Standing Counsel
to 17287, 17289 &
17290 of 2023)

For Respondents : Mr.I.Syed Sibghatulla
(in W.P.No.17288 Standing Counsel
of 2023)

COMMON ORDER

Since the issue raised in these writ petitions is one and the same, with the consent of the learned counsel appearing for both sides, these writ petitions were heard together and disposed of by this common order.

2. Mr.S.Kalaiselvan, learned Standing Counsel takes notice on behalf of the respondents in W.P.No.17281 of 2023. Mr.L.Jai Venkatesh, learned Standing Counsel takes notice on behalf of the respondents in W.P.Nos.17285 to 17287, 17289 and 17290 of 2023. Mr.I.Syed Sigbhatulla, learned Standing Counsel takes notice on behalf of the respondents in W.P.No.17288 of 2023.

3. The counsel for the petitioners has brought to the notice of the Court, an earlier order passed by this Court in W.P.No.11500 of 2017, in



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which, the learned Single Judge has followed the decision of the Division Bench of this Court in *Tamil Nadu Electricity Board Vs. Mani Spinning Mills (P) Limited* reported in *[CDJ 2012 MHC 4380]* -(W.A.(MD) Nos.407 to 412 of 2012 dated 02.08.2012). Since the issue involved in these cases is identical to the one involved in the aforesaid case, this Court is inclined to grant similar relief to the petitioners herein.

4. Accordingly, the Writ Petitions are allowed and the petitioners are directed to pay the respective Additional Security Deposit to the second respondent in respective writ petitions in six equal monthly installments along with the regular current consumption charges, commencing from 1st July, 2023 and shall pay the installments on or before 10th of every succeeding English Calendar month, failing which, it is open to the respondents in respective writ petitions to initiate appropriate action against the petitioners in accordance with law. No costs.

12.06.2023

Index : Yes/No

Speaking order / Non-speaking order

Neutral Citation Case : Yes/No

Note: Issue order copy on 12.06.2023.

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M.DHANDAPANI, J.

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