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W.P.Nos.18361, 18362 & 18364 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.18361, 18362 & 18364 of 2023

M/s.Lakshmi Saraswathi Cotton Mills (P) Ltd
Kutchipalayam Post,
Thokkavadi, Tirunchengode,
Namakkal District Repd., by its
Authorised Signatory V.Iyappan

... Petitioner
in W.P.No.18361 of 2023

M/s.Sri Kumaran Synthetics India (P) Ltd
59, Sankari Bye Pass Road,
Namakkal District Repd., by its
Authorised Signatory K.Suresh

... Petitioner
in W.P.No.18362 of 2023

R.K.Weaves India Pvt Ltd.,
No.4/2, KRPAD Road,
Pallipalayam, Erode,
Repd., by its Signatory
Bharathwaj Mohan

... Petitioner
in W.P.No.18364 of 2023

Vs.

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



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

... Respondents
(in all Petitions)

Prayer in W.P.No.18361 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.31,36,381/- alone in 10 equal monthly installments along with the regular current consumption charges.

Prayer in W.P.No.18362 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.19,62,493/- alone in 10 equal monthly installments along with the regular current consumption charges.

Prayer in W.P.No.18364 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.10,71,258/- alone in 10 equal monthly installments along with the regular current consumption charges.



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For Petitioners
(in all Petitions) : Mr.R.S.Pandiyaraj

For Respondents
(in all Petitions) : Mr.L.Jai Venkatesh
Standing Counsel for TANGEDCO

COMMON ORDER

Since the issue involved in all the Writ Petitions being one and the same all these petitions are taken up for final disposal by way of this common order.

2. The petitioners have filed these Writ Petitions seeking issuance of Writ of Mandamus, directing the respondents 1 and 2 to permit the petitioners to pay the respective Additional Security Deposit alone in 10 equal monthly installments, along with the regular current consumption charges.

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



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2017, in 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 this case is identical to the one involved in the aforesaid case, this Court is inclined to grant similar relief to the petitioner herein.

4. Accordingly, these Writ Petitions are allowed and the petitioners are directed to pay the respective Additional Security Deposit to the second respondent 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 to initiate appropriate action against the petitioners in accordance with law.

No costs.

20.06.2023

Index : Yes/No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
NHS



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To

- 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



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M.DHANDAPANI, J.

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