



W.P.No.19479 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.19479 of 2023

and

W.M.P.No.18747 of 2023

M/s.MNellaiyah Rolling Mill Private Ltd.,
Plot No.B13N and B13S,
Sipcot Industrial Complex,
Gummidipondi, Gummidipondi – 601 201,
Represented by its Managing Director.

... Petitioner

vs.

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

2. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
Chennai E.D.C / North,
No.800, Anna Salai,
Chennai – 600 002.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India
praying to issue a writ of Mandamus, directing the second respondent to
permit the petitioner to pay the Additional Current Consumption Deposit



W.P.No.19479 of 2023

of Rs.3,31,64,292.00/- as demanded in the 2nd Respondent's letter dated 01.06.2023 in Lr.No.SE/CHENNAI (NORTH) 019094042161/D.No./23 Dt.01.06.2023 in ten equated monthly installments along with the regular monthly current consumption charges.

For Petitioner : Mr.J.Suresh

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel

ORDER

The petitioner has filed the Writ Petition seeking for issuance of a Writ of Mandamus, directing the second respondent to permit the petitioner to pay the Additional Current Consumption Deposit of Rs.3,31,64,292.00/- as demanded in the 2nd Respondent's letter dated 01.06.2023 in Lr.No.SE/CHENNAI (NORTH) 019094042161/D.No./23 Dt.01.06.2023 in 10 equated monthly installments along with the regular monthly current consumption charges.

2. The counsel for the petitioner has brought to the notice of the Court that an earlier order passed by this Court in W.P.No.11500 of 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***



W.P.No.19479 of 2023

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 cases, this Court is inclined to grant similar relief to the petitioner herein.

3. Accordingly, the Writ Petition is allowed and the petitioner is directed to pay the Additional Security Deposit of Rs.3,31,64,292.00/- 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 petitioner in accordance with law. No costs. Consequently connected miscellaneous petition is closed.

30.06.2023

Index : Yes/No

Speaking order / Non-speaking order

Neutral Citation Case : Yes/No

(rap)

Office to Note: Issue order copy on 30.06.2023



WEB COPY



W.P.No.19479 of 2023

M.DHANDAPANI, J.

(rap)

W.P.No.19479 of 2023

30.06.2023