



W.P.No.25049 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 25.08.2023

CORAM: JUSTICE N.SESHASAYEE

WP.No.25049 of 2023

M/s.Sai Krishna Steel Industries,
Rep. by its General Manager,
SF No.96/1 & 198/2B,
K.Thippanapalli Village,
Nedumaruthi Post,
Billanakuppam Panchayat,
Krishnagiri Taluk,
Krishnagiri District.

...Petitioner

-Vs-

- 1.The Tamilnadu Generation and
Distribution Corporation Ltd.,
Rep. by its Chairman,
10th Floor, NPKRR Maaligai,
144, AnnaSalai,
Chennai – 600 006.
- 2.The Superintendent Engineer,
Tamilnadu Generation and
Distribution Corporation Ltd.,
Krishnagiri Electricity Distribution Circle,
110 KV SS Campus,
Rayakottai Road,
Krishnagiri – 635 002,
Krishnagiri District.

...Respondents



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Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 2nd Respondent to restore the HT SC No.089094210803 and permit the petitioner to pay the outstanding current consumption charges of Rs.77,43,259/- towards 6/2023, and Rs.1,18,27,165/- towards 7/2023 in 12 monthly instalments along with the regular consumption charges from 01.09.2023, by considering its representation dated 16.08.2023.

For Petitioner : Mr.N.Manokaran
For R1 & R2 : Mr.S.Madhusudanan,
Standing Counsel for TNEB

ORDER

The petitioner herein is a Company and it had the benefit of two HD service connection to its units. Due to non-payment of current consumption charges, both the service connections were terminated on 03.08.2023. So far as the consumption charges are concerned, together for both the connections the petitioner is required to pay a sum of Rs.1.97 Crores. The petitioner seeks a direction from this Court to direct the second respondent to restore electricity connection upon it paying the entire arrears of electricity charges in 12 equal monthly instalments.



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2.Mr.S.Madhusudanan, learned Standing Counsel for TNEB takes notice for the respondents 1 and 2.

3.The prayer now sought does not appear to be tenable. At the end of the day, it is a relationship between the TANGEDCO and the petitioner and it is founded on a contract and the TANGEDCO appears to have raised a bill only for the electricity which the petitioner had enjoyed. This Court is given to understand that the petitioner ran into a financial crisis and hence, it could not pay, but then it is internal to the petitioner.

4.This Court cannot direct the respondent TANGEDCO to restore electricity on the terms which the petitioner now offers. As a third party to this arrangement, it is only for the TANGEDCO to take a call as to when it wants to restore electricity. It depends on its confidence.

5.Having said that, this Court still directs the petitioner to pay the arrears in six (6) equal monthly instalments to commence from September 2023. Now, it is for the respondent TANGEDCO to consider to restore either one of the connections or both the connections jointly or



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separately. That issue is left open and it is for the petitioner to approach the TANGEDCO to resolve it.

6.The Writ Petition is disposed of accordingly. No costs.

25.08.2023

Index : Yes/No

Internet : Yes/No

Tsg

To

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N.SESHASAYEE, J.,

Tsg

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