



W.P.(MD)No.18313 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.18313 of 2020

and

W.M.P.(MD)Nos.15298 & 15299 of 2020

Sri Pamameswari Spining Mills Pvt. Ltd.,
HT SC No.327,
Great Cotton Road,
Pandalgudi - 626113,
Aruppukottai,
Rep. by its Director Mr.G.Ravi.

... Petitioner

Vs.

The Superintending Engineer
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO),
Virudhunagar Electricity Distribution Circle,
Virudhunagar.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records of the respondents impugned notice bearing Lr.No.SE/VREDC/VDR/AO/REV/AAO/



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HT/AS.2/F.HT.SC.NO.327/DNO.255/2019 dated 29.03.2019 and quash the same as illegal, arbitrary and against the principles of natural justice and consequently direct the respondent to effect permanent disconnection of petitioner's HTSC No.327 thereby giving refund of the CC Deposit and meter caution deposit to a sum of Rs.96,21,217/-.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondent : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This writ petition has been filed to quash the impugned order, dated 29.03.2019 with a consequential direction to effect permanent disconnection of the petitioner's HTSC No.327 and refund the CC Deposit and Meter Caution deposit to a sum of Rs.96,21,217/-.

2. Heard Mr.R.S.Pandiyaraj, the Learned counsel appearing for the Petitioner, Mr.S.Deenadhayalan, the Learned Standing Counsel appearing for the Respondent and perused the material documents available on record.



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3. Through the impugned order, the respondent has stated that the respondent is having total deposit of Rs.1,00,97,217/-. However, there are Court Cases pending between the Petitioner and the respondent TANGEDCO. In the impugned order, the respondent has stated that they have deducted certain amounts for current consumption charges and other charges for which court cases pending between them. The impugned order has also mentioned that they are having balance deposit of Rs.34,88,817/-. Therefore, the petitioner is seeking direction to the respondent to disburse the balance deposit amount of Rs.34,88,817/-.

4. Accordingly, the respondent is directed to refund the balance amount of Rs.34,88,817/-. As far as the remaining amount, which is covered under the Court cases are concerned, the parties right will be determined after the disposal of the cases. The amount shall be refunded within a period of six weeks from the date of receipt of a copy of the order. No costs.



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5. With these observations and directions, this Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes
NCC : Yes / No
ksa

30.08.2023



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To

The Superintending Engineer
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO),
Virudhunagar Electricity Distribution Circle,
Virudhunagar.



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S.SRIMATHY, J

ksa

**Order made in
W.P.(MD)No. 18313 of 2020**

30.08.2023