

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2024

CORAM:

THE HON'BLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.27213, 27216 and 27218 of 2024

M/s.MKAS Textiles Pvt. Ltd.,
No.24, II Floor VCTC Road,
Veerabathrar Street,
Erode, Rep. By its Manager,
M.Mohamed Aslam

...Petitioner in W.P.no.27213 of 2024

M/s.VP Tex Pvt. Ltd.,
Unit II, HTSC.No.049094370569,
451/1 VP Building, VEDIYARASANPALAYAM,
Pallipalayam, Namakkal.
Rep. By its Authorized Signatory, Kirankumar Vasudevan.

...Petitioner in W.P.No.27216 of 2024

M/s.Chendur Murugan Yarn Tex India Pvt Ltd.,
HTSC.No.049094370472,
S.F.No.133/2, Veppadai to Kumarapalayam Road,
Namakkal.
Rep. By its Authorized Signatory, Subramani.K.

... Petitioner in W.P.No.27218 of 2024

Vs.

1 The Chairman and Managing Director,
TAMIL NADU GENERATION AND DISTRIBUTION CORPORATION LIMITED,
144, ANNA SALAI, CHENNAI 600 002.

... First respondent in all the petitions

2 The Superintending Engineer,
ERODE ELECTRICITY DISTRIBUTION CIRCLE,
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION LIMITED, ERODE.

.... 2nd Respondent in W.P.No.27213 of 2024

- 2 The Superintending Engineer,
Namakkal ELECTRICITY DISTRIBUTION CIRCLE,
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION LIMITED, Namakkal

.... 2nd Respondent in W.P.No.27216 & 27218 of 2024

Prayer in W.P.no.27213 of 2024: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus Directing the 1st and 2nd Respondent to permit the petitioner to pay the Additional Security Deposit of Rs 77,36,693/- alone in 7 equal monthly installments along with the regular current consumption charges.

Prayer in W.P.no.27216 of 2024: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus Directing the 1st and 2nd Respondent to permit the petitioner to pay the Additional Security Deposit of Rs 37, 22,499/- alone in 7 equal monthly installments along with the regular current consumption charges.

Prayer in W.P.no.27218 of 2024: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus Directing the 1st and 2nd Respondent to permit the petitioner to pay the Additional Security Deposit of Rs 27, 36,610/- alone in 7 equal monthly installments along with the regular current consumption charges.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.S.Kalaiselvan
for W.P.Nos.27218 & 27216/2024
Mr.I.Syed Sibhatulla
for W.P.No.27213 of 2024

COMMON ORDER

These Writ Petitions have been filed to direct the respondents to permit the petitioners to pay the Additional Security Deposit alone in seven equal monthly installments, along with the regular current consumption charges.

2. The learned counsel for the petitioner has brought to the notice of the Court, 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 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 the case is identical to the one involved in the aforesaid case, this Court is inclined to grant similar relief to the petitioner herein.

3. Accordingly, these Writ Petition is allowed and the petitioners are directed to pay the Additional Security Deposit to the second respondent in six equal monthly installments along with the regular current consumption charges, commencing from 1st October, 2024 and shall pay the installments on or before 7th 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.

12.09.2024

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To:

1 The Chairman and Managing Director,
TAMIL NADU GENERATION AND DISTRIBUTION CORPORATION LIMITED,
144, ANNA SALAI, CHENNAI 600 002.

2 The Superintending Engineer,
ERODE ELECTRICITY DISTRIBUTION CIRCLE,
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION LIMITED, ERODE.

3 The Superintending Engineer,
Namakkal ELECTRICITY DISTRIBUTION CIRCLE,
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION LIMITED, Namakkal

M.DHANDAPANI, J.

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W.P.No.27213, 27216 and 27218 of 2024

12.09.2024