



WEB COPY

W.P(MD)No.1118



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.1118 of 2024

Kesavan

... Petitioner

Vs

The Superintending Engineer,
TANGEDCO, Distribution,
Sivagangai,
Sivagangai District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to permit the petitioner to pay the electricity bill for 6 installments with interest on the basis of the representation, dated 19.12.2023.

For Petitioner	: Mr.K.Kevinkaran
For Respondent	: Mr.S.Deenadhayalan Standing Counsel

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondent to permit the petitioner to pay the electricity bill for 6 installments with interest on the basis of the representation, dated 19.12.2023.



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2. Heard Mr.K.Kevinkaran, learned counsel appearing for the petitioner and Mr.S.Deenadhayalan, learned Standing Counsel appearing for the respondent.

3. By consent, this writ petition is disposed of at the admission itself.

4. According to the petitioner, before six years the petitioner had taken over the unit of Shree Annamalaiyar Paper Mill Pvt., ltd., situated in SF.No.332/3, 4,5,6,7,8,333/1,2,3,4,334/5,6,7, 335/9, 11, 12 at Ooravaiyan Village, Devakottai Taluk, Sivagangai District by auction and now with new management as Sun Phoenix News Print Pvt., Ltd. The respondent issued High Tension Bill (Provisional) for the month of September EB Bill charge for a sum of Rs.7,64,497/- and October for a sum of Rs.11,00,571/-. In the meantime, there was a loss in the business, the petitioner could not able to pay the EB charges. Hence, on 07.11.2023 he sent a requisition letter to the respondent requesting him to give 6 installments to remit the CC charges with interest. But the respondent did not consider his request. In the meanwhile, the respondent issued letter in Lr.No.SE/SEDC/SVGA/DFC/AO/Rev/AS/HT/F.HT 109/DNo.445/23 dated 15.11.2023 stating that TENGEDCO cannot permit regular current consumption charges to be paid in installments when the supply of electricity was mode on credit basis and there is no provision in the electricity laws to grant payment of regular monthly current consumption charges in installments.



5.The learned counsel appearing for the petitioner would submit that due to market situation and lot of imported papers nearly 45% in Indian Consumption had imported by dealers since then our manufactured goods are lying in our godown and they cannot able to sell it in local market due to heavy rainfall also. Hence, on 19.12.2023 , the petitioner has sent a representation to the respondent requesting him to give 6 installments for pending CC Charges of Rs.23,63,612/- with interest. The petitioner's CCD deposit nearly Rs.42,00,000/- lying with the respondent's department, but the respondent did not consider his grievance. Hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

6.The learned Standing Counsel appearing for the respondent would submit that appropriate direction may be given to the respondent to consider the petitioner's request.

7.Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the petitioner to pay the CC charges to the respondent in four equal monthly installments each Rs.6,00,000/- from January 2024 to April 2024. The petitioner shall pay the first installment of Rs.6,00,000/- on or before 31.01.2024 and second installment on or before 29th February and third installment on or before 29th March and the fourth installment on



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or before 30th April. If the petitioner fails to pay any one of the installment, the respondent shall proceed further in the manner known to law.

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8.This Writ Petition stands disposed of with the above directions. No costs.

Index : Yes/No
Internet: Yes/No
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V.BHAVANI SUBBAROYAN, J.

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