



W.P(MD)No.9881 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.9881 of 2021
and W.M.P.(MD)Nos.7591, 7592 and 17010 of 2021

M/s.Arun Spinning Mills P Ltd
HTSC No.079094620181,
18, Thottiapatti Road, Rajapalayam – 626117
represented by its Director
P.Vijayakumar

... Petitioner

Vs.

1. The Superintending Engineer,
TANGEDCO,
Virudhunagar Electricity Distribution Circle,
TNEB Complex,
65/21, Ramamoorthi Road,
Virudhunagar-626001.
2. The Accounts Officer/Revenue,
Office of the Superintending Engineer,
TANGEDCO,
Virudhunagar Electricity Distribution Circle,
TNEB Complex, 65/21, Ramamoorthi Road,
Virudhunagar-626001.
3. Tamil Nadu Electricity Regulatory Commission,
4th Floor, SIDCO Corporate Office Building,
Thiru.Vi.Ka.Industrial Estate,
Guindy, Chennai-600032.
represented by its Secretary

... Respondents



W.P(MD)No.9881 of 2021

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent, with reference to the issuance of the impugned CC Bill No.H4620181042111 dated 10.05.2021 and quash the same, as illegal, arbitrary and against the provisions contained in Regulation 5(5)(v) of the Tamilnadu Electricity Supply Code 2004 and consequently direct the 1st and 2nd respondents to adjust the available excess security deposit of Rs.63,10,753.00, towards the petitioner's CC bill for April 2021 and May 2021 and in case of any balance of the excess security deposit is still available, it can be ordered to be adjusted in the remaining CC bills to be issued for the month of June 2021 onwards till it is fully adjusted, as provided under Regulation 5(5)(v) of the Tamilnadu Electricity Supply Code 2004.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.S.Deenadayalan
Standing Counsel

ORDER

The Writ Petition is directed against the impugned CC bill for the month of April-2021 claiming Rs.42,12,039/-.

2. The learned counsel appearing for the writ petitioner would submit that even as per the letter of the first respondent, a sum of Rs.63,10,753/- was available with them as excess security deposit



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eligible for adjustment in future Current Consumption Bill/refund, that though as per the circular issued by the Tamil Nadu Electricity Regulatory Commission, Chennai, Tamil Nadu Electricity Supply Code Regulation 5(5)(v) where a request made by the consumer to adjust the excess security deposit above two future demands, the distribution licensee shall adhere to such requests and that despite specific request made by the writ petitioner, they have not adjusted for the future bills.

3. When the matter is taken up for hearing today, the learned counsel appearing for the writ petitioner as well as the learned Standing Counsel appearing for the respondents would submit that the excess amount has already been adjusted for the subsequent bills and as such, nothing survives for further adjudication.

4. Recording the submissions made on either side, this Writ Petition is dismissed as infructuous. Consequently, connected Miscellaneous Petitions are closed. No costs.

08.04.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
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K.MURALI SHANKAR, J

csn

Order made in
W.P.(MD)No.9881 of 2021
and
W.M.P.(MD)Nos.7591, 7592 and 17010 of 2021

Dated : 08.04.2024