



W.P.(MD)N.18752 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 06.08.2024

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.18752 of 2024

Shri skandha spinners
(A Unit of Madras Spinners Ltd)
Rep.b y it sDirector
S.P.Senthil Nathan

... Petitioner

Vs.

1. The Chairman Cum Managing Director,
TANGEDCO,
6th Floor, Tamil Nadu Transmission Corporation Building,
144, Anna Salai,
Chennai - 600002.

2. The Chief Engineer (Distribution),
TANGEDCO,
Trichy Region,
Trichy.

3. The Superintending Engineer,
Dindigul Electricity Distribution Circle,
TANGEDCO, Dindigul.

4. The Executive Engineer,
Operation and Maintenance,
TANGEDCO,
Palani, Dindigul.

5. The Assistant Engineer,
TANGEDCO,
Chinnakalayamputhur,



W.P.(MD)N.18752 of 2024

Palani Taluk, Dindigul.

... Respondents

WEB COPY

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to accept the pending principal electricity due amount totalling Rs.43,81,735/- (Forty Three Lakhs Eighty one Thousand Seven Hundred and Thirty Five Only) and direct the respondents to forthwith restore the electricity connection of the petitioner or provide any other new connection on the petitioner's land within the stipulated time fixed by this Court.

For Petitioner : Mr.S.Ramsundarvijayraj

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

With consent of the parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks a direction to the respondents to accept the pending principal electricity due amount totalling Rs.43,81,735/- (Forty Three Lakhs Eighty one Thousand Seven Hundred and Thirty Five Only) and direct the respondents to forthwith restore the electricity connection of the petitioner or provide any other new connection on the



W.P.(MD)N.18752 of 2024

petitioner's land within a specific time.

WEB COPY

3. It is the case of the petitioner that the petitioner is the Director of Skanda Spinners. The petitioner Mill involved in manufacture of Cotton Yarn and commenced its industrial activities in the year 1993. The respondent Board has extended the High Tension Service connection bearing No.189 with a sanctioned demand of 550 KVA. On 13.09.2002, a team of 10 officials from the Anti Power Theft Squad(APTS) inspected the petitioner's premises and assessed the electricity charges as 69,81,735/-(Rupees sixty nine lakhs eighty one thousand seven hundred and thirty five only) on the ground that there was theft of electricity. The petitioner has challenged the said assessment in E.O.P.No.121 of 2019 before the Principal District and Sessions Court, Dindigul. An interim order has been granted directing the petitioner to pay Rs.3,00,000/-. However, the electricity connection has not been restored. Hence, the present writ petition has been filed by the petitioner.

4. The learned counsel for the petitioner submitted that the petitioner has already paid Rs.23,00,000/-(Rupees twenty three lakhs



W.P.(MD)N.18752 of 2024

only) before the Judicial Magistrate, Palani as bail amount and Rs. 3,00,000/- (Rupees three lakhs only) before the learned Principal District and Sessions Court, Dindigul and now he is willing to pay the assessment amount of Rs.69,81,735/- adjusting the amount already paid (Rs. 26,00,000/-). Hence, he seeks to restore the electricity connection pending E.O.P.No.121 of 2019 on the file of the learned Principal District and Sessions Court, Dindigul.

5. Heard the learned counsel appearing on both side and perused the materials available on records.

6. It is the contention of the petitioner that the petitioner is now ready to pay the assessment amount less Rs.26,00,000/- already deposited and seeks restoration of the electricity. Hence, this Court is of the view that if the petitioner deposits the assessment amount, the respondents shall restore the electricity.

7. Accordingly, if the petitioner deposits the assessment of Rs. 69,81,735/- (Rupees sixty nine lakhs eighty one thousand seven hundred and thirty five only) exclude the amount already paid ie., Rs.26,00,000/-,



W.P.(MD)N.18752 of 2024

to the credit of TANGEDCO within a period of ten days from the date of receipt of a copy of this order, then the respondents shall consider for restoring the electricity connection to the petitioner without prejudice to the rights to defend the E.O.P.No121 of 2019 filed by the petitioner.

8. With the above observation, this writ petition is disposed of.

No Costs.

06.08.2024

NCC : Yes / No
Index : Yes / No
PJL



WEB COPY



W.P.(MD)N.18752 of 2024

N.SATHISH KUMAR , J.

PJL

W.P.(MD)No.18752 of 2024

06.08.2024