



W.P.No.13283 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 09.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

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M/S.GALLESSIA GLOBAL FASHIONS PRIVATE LIMITED,
REPRESENTED BY ITS MANAGING DIRECTOR,
ALURU CHETAN SAI KRISHNAN,
PETHANAICKENPALAYAM,
PONGALUR POST,
P.PULIAMPATTY VIA,
AVABASHI,
TIRUPUR-638 459.

... Petitioner

Vs

1. THE CHAIRMAN AND MANAGING DIRECTOR,
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION LIMITED,
144, ANNA SALAI, CHENNAI-600 002.
2. THE SUPERINTENDING ENGINEER,
TIRUPPUR ELECTRICITY DISTRIBUTION CIRCLE,
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION LIMITED,
TIRUPPUR DISTRICT.
3. THE ACCOUTNS OFFICER / REVENUE,
THE SUPERINTENDING ENGINEER OFFICE,
TIRUPPUR ELECTRICITY DISTRIBUTION CIRCLE,
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION LIMITED,
TIRUPPUR DISTRICT.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents herein to waive the



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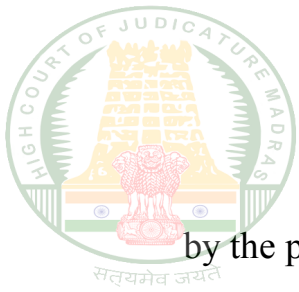
balance 2 installments out of 6 installments in C.C. bill dated 08.11.2024 insofar as it relates to the Additional Security Deposit of Rs.46,57,084/- alone in Serial No.21 adjustment charges, by considering the petitioner's representation dated 02.04.2025 within the time frame fixed by this Court.

For Petitioner : Mr.A.Saravanan
For R1 to R3 : Ms.M.S.Sindhuza
for Mr.L.Jaivenkatesh

ORDER

The prayer in the writ petition is to direct the respondents herein to waive the balance 2 installments out of 6 installments in the C.C. bill dated 08.11.2024 insofar as it relates to the Additional Security Deposit of Rs.46,57,084/- by considering the petitioner's representation dated 02.04.2025.

2. Upon hearing the learned counsel appearing for the petitioner and perusing the affidavit filed in support of the writ petition and the material records of the case, it can be seen that the grievance of the petitioner is that when the above payment is with reference to the security deposit, the next year has now started and therefore, the last two installments need not be made



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by the petitioner and he seeks a waiver.

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3. Per contra, the learned counsel appearing on behalf of the respondents points out the petitioner's own averments and the order passed in the earlier writ petition filed by the petitioner in W.P. No. 36359 of 2024 dated 28.11.2024. The same cannot be done in view of the consent given by the petitioner himself.

4. The learned counsel appearing for the respondents would submit that the question of revisit would arise for the next year, that is starting from the month of April or May 2025.

5. I have considered the arguments made by the learned counsel appearing on either side and perused the material records of the case.

6. If paragraphs 4 and 5 of the order in the earlier writ petition are extracted hereunder:

4. The learned counsel appearing for the petitioner submits that the petitioner is ready to pay the current consumption charges as per the bill. However, the petitioner seeks a permission of the Court to pay the



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Additional Security Deposit amount of Rs.46,57,084/- in 6 monthly instalments.

5. In view of the statement made by the learned Standing Counsel (TNEB) appearing for the respondents that the petitioner may be permitted to pay Additional Security Deposit in 6 monthly instalments, the petitioner is directed to pay the Additional Security Deposit amount of Rs.46,57,084/- to the respondents in 6 monthly instalments starting from December-2024. In case of default by the petitioner in paying instalments, it is open to the respondents to take action in accordance with law.

7. It can be seen that the petitioner and the respondents consented, the Court had granted six-month installments for paying the said sum of Rs.46,57,084/-. Therefore, in view of these proceedings, the said order cannot be modified or retracted. Further, even if the petitioner pleads that the entire sum is not payable, he cannot now take such a stand after agreeing to pay the entire sum in the earlier proceedings.

8. In view thereof, the prayer as such cannot be countenanced. At this stage, the petitioner submits that the fifth installment is due on 07.04.2025 and the sixth installment is due on 07.05.2025. In view of the present proceedings,



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the petitioner requests breathing time to make the said payments.

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9. In view thereof, the time for the fifth installment is extended up to 30.04.2025 instead of 07.04.2025 and the sixth installment is extended up to 31.05.2025 instead of 07.05.2025. If the petitioner fails to deposit the installment as directed, as extended by this Court, action can be taken by the respondents.

10. In view of the above, this writ petition is disposed of. No costs.

09.04.2025

Neutral Citation: Yes/No
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To

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D.BHARATHA CHAKRAVARTHY, J.

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