



WP No. 22221 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-06-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 22221 of 2025

1. M/s.Cheran Steels Pvt Ltd
S.F.No.42/2 Sulakkal Village,
Pollachi Taluk,
Coimbatore-642 110
Rep By Its Authorised Signatory
K.Babu

Petitioner(s)

Vs

1. Tamil Nadu Power Distribution Corporation
Ltd, TNPDC
10th Floor, 144, Anna Salai,
Chennai- 600 002
Rep By Its Chairman And Managing Director

2.The Superintending Engineer
TNPDC,
Coimbatore South Electricity Distribution Circle,
Coimbatore

Respondent(s)



PRAYER

Directing the 2nd Respondent, to permit the petitioner to pay the arrears of Rs.28,44,438/- as per Regulation 17(5), 17(9)(a) and 17(9)(b) of the Tamil Nadu Electricity Supply Code, 2004 along with restoration charges and other charges and restore supply on Payment of the 1st installment.

For Petitioner(s): Mr.R.S. Pandiyaraj

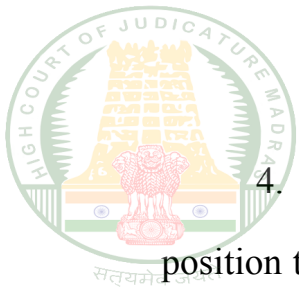
For Respondent: Mr.L.Jaivenkatesh
Standing Counsel for R1 & 2

ORDER

The writ petition has been filed for the issue of a writ of mandamus directing the 2nd Respondent, to permit the petitioner to pay the arrears of Rs.28,44,438/- as per Regulation 17(5), 17(9)(a) and 17(9)(b) of the Tamil Nadu Electricity Supply Code, 2004 along with restoration charges and other charges and restore supply on Payment of the 1st installment.

2. Heard Mr.R.S. Pandiyaraj, learned counsel for the petitioner and Mr.L.Jaivenkatesh, learned Standing Counsel for respondents 1 and 2.

3. The petitioner is having a HT service connection under the 2nd respondent. Due to business loss, the petitioner was not able to pay current consumption charges for the month of January and February, 2025. Hence the service connection was disconnected on 25.02.2025. The current consumption charges arrears workout to a sum of Rs.28,44,438/-.



4. The petitioner wanted to revive the industry and they were not in a position to clear the arrears in one lumpsum payment. The petitioner by relying upon the relevant regulation has sought for a direction to the respondent to permit the petitioner to pay 40% of total arrears for reconnection and balance 60% in 10 equal monthly installments along with regular current consumption charges as per Regulation 17(5), 17(9)(a) and 17(9)(b) of the Tamil Nadu Electricity Supply Code, 2004.

5. The learned Standing Counsel appearing on behalf of the respondents submitted that the petitioner has to necessarily wait for the six months period to get over and only after the supply is closed, such installment payment can be paid under Clause 22(4) 6 (II) of the Tamil Nadu Electricity Supply Code, 2004.

6. The learned counsel for the petitioner brought to the notice of this Court the earlier order passed in W.P.No.11326 of 2025, dated 27.03.2025, which dealt with the similar issue.

7. On considering the facts and circumstances of the case and the materials placed before this Court and also after considering the earlier order passed in W.P.No.11326 of 2025, dated 27.03.2025, this Court find that the present case is covered by the said order. For better appreciation, the relevant portion of the order is extracted hereunder,

“6. The regulation 17(5) is extracted



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hereunder:

“17(5) If a service connection remains disconnected for a period of three months due to -

(i) Non payment of dues to the Licensee, or,
(ii) due to any statutory direction issued for disconnection by any Government Authoirty in exercise of the orders of any Legal Forum or the direction issued by the Pollution Contral Board which falls under regulation 21(2) of this Code or due to Orders of any Court of law or any legal forum having compentent jurisdiction, the Licensee shall issue a notice requiring the consumer to get the supply restores, by clearing the outstanding dues and duly obtaining the necessary clearance from the appropriate authorities who have ordered the disconnection, as the case may be, within three months from the date of receipt of such a notice duly intimating that failure to avail supply within that period would result in termination of the agreement, and after the expiry of notice period of three months, the agreement shall stand terminated provided that no disputed amount due to any other Court cases remains unpaid. However, the monthly minimum charges shall be levied for the maximum of six months.”

7. The regulation 17(9)(a) and 17(9)(b) are extracted hereunder for ready reference:-

“9(a) In case of service connections in a permises, which have been disconnected/dismantled for defaults in payment of dues whatsoever and if such service connections are to be reconnected or new service connections are to be obtained by other persons in such permises either by purchase or transfer or lease basis, the Distribution Licensee shall



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reconnect such service connections or effect new service connections, as the case may be, in such premises only after payment of dues attributed to such premises by the applicant.

9(b) The authorised officer of the licensee may permit such applicant to pay the outstanding dues in instalments and to avail the service on payment of 40% of the total arrears outstanding including BPSC in addition to the charges for reconnection of such service connections or effecting new service connections. The balance 60% of the outstanding dues shall be collected in 10 monthly installments.”

8. A reading of regulation 17(5) read with 9(a) and 9(b), it can be seen that the reconnection can be made only when the petitioner pays the arrears. However, the authorized officer is also given the discretion to permit the applicant to pay the outstanding dues, being 40% of the total dues and the BPSC upfront, and the balance can be paid in 10 installments.

9. When it is contended on behalf of the respondent that they will undertake the same exercise as per Regulation 22 after the account is closed, it would only be in the best interest of the respondents TANGEDCO to resort to the exercise under 17(9)(b) as the 40% will be paid earlier than the expiry of the period and the balance can also be collected at the earlier point of time.

10. In view thereof, this writ petition is disposed of on the following terms:-

(i) The petitioner shall pay 40% of the outstanding amount and the BPSC charges that are demanded upfront. Upon payment of the same, the supply shall be restored and the balance amount shall



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be paid in 10 monthly installments;

(ii) Apart from the above amount, the petitioner shall continue to pay the current consumption charges. If there is any default in even a single installment, the respondent authorities will be entitled to disconnect the supply and proceed further in the manner known to law;

(iii) The parties shall act on the web copy of the order without waiting for the certified copy of the order. Consequently, connected miscellaneous petition is closed. No costs.”

8. This Court is inclined to dispose of the present writ petition in line with the above order and hence, the writ petition is disposed of on the following terms,

(i) The petitioner shall pay 40% of the outstanding amount and the BPSC charges that are demanded upfront. Upon payment of the same, the supply shall be restored and the balance amount shall be paid in 10 monthly installments;

(ii) Apart from the above amount, the petitioner shall continue to pay the current consumption charges. If there is any default in even a single installment, the respondent authorities will be entitled to disconnect the supply and proceed further in the manner known to law;



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(iii) The parties shall act on the web copy of the order without waiting for the certified copy of the order. Consequently, connected miscellaneous petitions, if any are closed. No costs.”

20-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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1. Tamilnadu Power Distribution
Corporation Ltd
Tnpdcl, 10th Floor, 144, Anna Salai,
Chennai- 600 002 Rep By Its Chairman
And Managing Director

2. The Superintending Engineer
Tnpdcl, Coimbatore South Electricity
Distribution Circle, Coimbatore



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N.ANAND VENKATESH J.

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