

(2013) 07 MAD CK 0243

In the Madras High Court

Case No : Writ Petition No. 17664 of 2013 and M.P. No's. 1 and 2 of 2013

CPC Private Ltd.

APPELLANT

Vs

Tamilnadu Electricity Board, Tamilnadu Generation and
Distribution Corpt. Ltd., Tamilnadu Electricity Regulatory
Commission and State Industries Promotion Corporation of
Tamilnadu Ltd.

RESPONDENT

Date of Decision : 05-07-2013

Acts Referred:

Citation : (2013) 07 MAD CK 0243

Hon'ble Judges : D. Hariparanthaman, J

Bench : Single Bench

Advocate : Karthik Seshadri, for the Appellant; G. Vasudevan, for the
Respondent

Final Decision : Allowed

Judgement

D. Hariparanthaman, J.—With the consent of both parties, the Writ Petition itself is taken up for final disposal, as the matter lies in narrow compass. Heard both sides.

2. The petitioner has high tension electricity service connection. The current consumption deposit that is available to the credit of the petitioner is Rs. 38,85,260/-. The respondent Electricity Board has to decide the issue as to whether the additional current consumption deposit has to be made by the Writ Petitioner. It is admitted by both parties that as per Regulation 5(5)(vii)(a) of the Tamil Nadu Electricity Supply Code, 2004, the average current consumption charges for the past 12 months preceding April 2013 has to be worked out and the same shall be multiplied by 2 to arrive at the requirement of current consumption deposit. By this method, the monthly average consumption charge is Rs. 16,88,038/-. Instead of multiplying it by 2, the second respondent multiplied it by 4 and arrived at Rs. 67,44,160/- as a revised current consumption deposit. Hence, the second respondent directed the petitioner to

pay the balance of Rs. 30,58,900/-.

3. The petitioner has filed this Writ Petition to quash the order dated 20.4.2013 directing the petitioner to pay Rs. 30,58,900/- towards additional current consumption deposit.

4. As stated above, already Rs. 36,85,260/- is available to the credit of the petitioner as current consumption deposit. If the monthly average current consumption charge of Rs. 16,86,038/- is multiplied by 2, the amount comes to Rs. 33,72,080/-. Hence, there is no need for the petitioner to make any additional current consumption deposit. Hence, the impugned order is set aside. The Writ Petition is allowed. No costs. The connected Miscellaneous Petition is closed.