



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE SIXTH DAY OF OCTOBER,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

IA No. 1 OF 2023

IN

WP NO: 11746 OF 2023

Between:

Shaik Meera Mohiddin, S/o Late Yusuf, Age. 42 years occ. Business, D. No.21-273,
Jenda Street, Nellore S.P.S. Nellore District, -524001

...Petitioner

AND

1. The Chairman and Managing Director, APSPDCL, Tirupati, Tiruchanur Road, Tirupati District. (previously Chittoor District)
2. The Superintending Engineer, APSPDCL Vidyuth Bhavan A. K. Nagar Nellore.SPSR Nellore District,
3. The Divisional Engineer Operations APSPDCL, Kotamitta, Nellore S.P.S.Nellore District.
4. The Assistant Engineer Town hall Section, Nellore. SPS Nellore District.
5. The State of Andhra Pradesh, Represented by its Principal Secretary Department of Energy, AP Secretariat Building , Velgapudi, Amaravathi, Andhra Pradesh.
6. Sd.Mohammadunnisa Begum, W/o K.S.s.Katib Hussaini @ Baba. D.No.12/619, Makan Lane , Chinna Bazar. Nellore-524001 . S. P. S. Nellore District.

...Respondents

Counsel for the Petitioner

: Sri K.Neelakanteswara Rao representing
Sri V V S C Muralidhar Rao

Counsel for the Respondent No.1 : Sri V.R.Reddy Kovvuri, Standing Counsel

Counsel for the Respondent Nos.2 to 5 : GP for Energy

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents to forthwith restore the electricity connection of the petitioner bearing no 154211/B7 situated at Chinna Bazar D.No 13-5-92, Nellore S.P.S. Nellore District, Pending disposal of WP No. 11746 of 2023, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following
(The receipt of this order will be deemed to be the receipt of notice in the case)

ORDER:

"Heard.

Sri K.Neelakanteswara Rao, learned counsel representing learned counsel for the petitioner submitted that, the respondent corporation has considered the petitioner's application and sanctioned service connection to the petitioner and thereby fixed the meter but not provided power supply to the petitioner's service connection. He further submitted that, as the Electricity is a basic amenity in life and a right guaranteed under constitution of India and if the power supply is not provided, it affects the rights of the petitioner. As such prayed to protect the interest of the petitioner.

Sri V.R.Reddy Kovvuri, learned standing counsel on instructions submitted that, after verifying the petitioner's application and the registered documents along with judgment passed in O.S.No.266/2012, the authorities have fixed the meter, but later, as the 6th respondent has raised an objection duly stating that, a suit vide O.S.No.54/2016 is pending against the petitioner before competent Civil Court and requested not to give power supply to the petitioner's service connection, the authorities have not provided power supply to the petitioner's service connection and however sought time to file counter in that regard.

Perused the record.

As could be seen from the submissions made by both the learned counsel, no order has been passed by any competent Civil Court restraining the respondents from providing power supply to the petitioner. When the authorities have satisfied with the documents placed along with petitioner's application and having fixed the meter and at that juncture they cannot refuse to provide power supply. However a detailed counter is required to adjudicate the present writ petition, but in the meantime, if the power supply is not provided to the petitioner as contended by the learned counsel for the petitioner, it will cause great prejudice to the petitioner. As such, this Court is inclined to pass following order:

The respondent authorities are directed to provide power supply to the service connection no.154211/B7 situated at Chinna Bazar, D.NO. 13-05-92,

SPSR Nellore District, forthwith. However, the same is subject to the outcome of the present writ petition. The petitioner cannot claim any equities"

//TRUE COPY//

For

Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Chairman and Managing Director, APSPDCL, Tirupati, Tiruchanur Road, Tirupati District. (previously Chittoor District)
2. The Superintending Engineer, APSPDCL Vidyuth Bhavan A. K. Nagar Nellore.SPSR Nellore District,
3. The Divisional Engineer Operations APSPDCL, Kotamitta, Nellore S.P.S.Nellore District.
4. The Assistant Engineer Town hall Section, Nellore. SPS Nellore District.
5. The Principal Secretary, State of Andhra Pradesh, Department of Energy, AP Secretariat Building , Velgapudi, Amaravathi, Andhra Pradesh.
6. Sd.Mohammadunnisa Begum, W/o K.S.s.Katib Hussaini @ Baba. D.No.12/619,Makan Lane , Chinna Bazar. Nellore-524001 . S. P. S. Nellore District. (Addressee nos.1 to 6 by RPAD)
7. One CC to Sri. V V S C Muralidhar Rao, Advocate [OPUC]
8. One CC to Sri. V.R.Reddy Kovvuri, Standing Counsel [OPUC]
9. Two CCs to GP for Energy ,High Court of Andhra Pradesh. [OUT]
10. **One spare copy**

CVSS

HIGH COURT

RCJ

DATED:06/10/2023

POST ON 10.11.2023

ORDER
IA No. 1 OF 2023
IN
WP NO: 11746 OF 2023

DIRECTION

