

**IN THE HIGH COURT OF ANDHRA PRADESH: AMARAVATI**  
**HON'BLE Mr. JUSTICE PRASHANT KUMAR MISHRA, CHIEF JUSTICE**  
**&**  
**HON'BLE Mr. JUSTICE D.V.S.S. SOMAYAJULU**  
**WRIT APPEAL No.19 of 2023**

The Superintending Engineer, Central Power Distribution Corporation of Andhra Pradesh Ltd., APCPDCL, Chimakurthy, Prakasam District, and others

... Appellants

Versus

Sri V.L. Ganapathi Granites, rep. by its authorized signatory Nuvvala Varalakshmi, W/o. Nethi Chinna Rao, present address No.5, Torrington Street, Point Cook, Victoria-3030, Australia, rep. by Nuvvala Raghava Rao, S/o. Venkateshwarlu, aged about 56 years, Occ: Farmer, R/o.D.No.8-522-4/A, Pandaripuram, Anjayya Road, Lawyerpet, Ongole, Prakasam District, and another

... Respondents

**JUDGMENT (ORAL)**

**Dt:05.01.2023**

***(Prashant Kumar Mishra, CJ)***

This appeal, under clause 15 of the Letters Patent, has been preferred challenging the interim order dated 03.01.2023 passed by the learned single Judge in W.P.No.40554 of 2022, directing personal appearance of the respondents therein on 06.01.2023.

2. The writ petition has been preferred challenging the action of the 4<sup>th</sup> respondent therein in issuing order Lr.No.DEE/O/CMK/F.DOC.D.No.1258/22 dated 17.10.2022 and consequently to direct the respondents to restore power supply to the

service connection of the petitioner. When the writ petition came up for hearing on 16.12.2022, learned single Judge by a reasoned order, issued interim direction as prayed for in I.A.No.1 of 2022 restoring power supply to the service connection of the petitioner. When the said order was not complied with, petitioner preferred C.C.No.6688 of 2022, which was also listed for consideration on the same day when the impugned order has been passed by the learned single Judge in W.P.No.40554 of 2022. Learned single Judge, in the impugned order, would observe that the officers concerned of the respondents-Corporation are not caring orders of the Court, which is not acceptable. Learned single Judge proceeded to hear the conversation placed before the Court by way of a compact disc and upon prima face satisfaction that respondents have wilfully and intentionally disobeyed the orders of the Court, directed for personal appearance of the respondents.

3. It is not a case where the learned single Judge has directed personal appearance of the respondents in a mechanical or routine manner. When the interim order dated 16.12.2022 was passed and when the impugned order was passed; on both occasions, learned single Judge recorded reasons to satisfy himself as to the course of action for directing personal appearance of the respondents and no exception can be found to the steps taken by the learned single Judge for implementation of the interim order passed by the Court. Since learned single Judge has not

decided any issue in the impugned order and has only directed personal appearance of the respondents to hear their view before proceeding further in the writ petition or in the contempt case, the same would not amount to a judgment within the meaning of clause 15 of the Letters Patent. Therefore, no interference with the impugned order is called for.

4. The appeal is accordingly dismissed. No order as to costs. Pending miscellaneous applications, if any, shall stand closed.

***Sd/-***

**PRASHANT KUMAR MISHRA, CJ**

MRR

***Sd/-***

**D.V.S.S. SOMAYAJULU, J**