

[3332]

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
TUESDAY, THE FOURTH DAY OF JULY
TWO THOUSAND AND TWENTY THREE
:PRESENT:
THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 15737 OF 2023



Between:

M/s Sri Varaha Lakshmi Narasimha Swamy Educational Trust, Rep. by its Chairman-cum-Managing Trustee, 88th Division, Narava, Pendurthi Mandal, Visakhapatnam, Andhra Pradesh 530 027.

Petitioner

AND

1. The Eastern Power Distribution Company Of Andhra Pradesh Limited, Rep. by its Chairman and Managing Director, PandT Colony, Seethamadhara, Visakhapatnam, Andhra Pradesh.
2. The Chief General Manager (OandM), APEPDCL, PandT Colony, Seethamadhara, Visakhapatnam, Andhra Pradesh.
3. The Chief General Manager (Revenue), APEPDCL, PandT Colony, Seethamadhara, Visakhapatnam, Andhra Pradesh.
4. The Superintending Engineer (O), APEPDCL, Visakhapatnam Operation Circle, Visakhapatnam, Andhra Pradesh.
5. The Senior Accounts Officer, O/o. Superintending Engineer (O), APEPDCL, Visakhapatnam Operation Circle, Visakhapatnam, Andhra Pradesh.
6. The Executive Engineer (O), APEPDCL, Zone-III, Madhurawada, Visakhapatnam, Andhra Pradesh.
7. The Deputy Executive Engineer (DPE/HT), APEPDCL, Corporate Office, PandT Colony, Seethamadhara, Visakhapatnam, Andhra Pradesh.
8. The Deputy Executive Engineer (O), APEPDCL, Pendurthy, Visakhapatnam, Andhra Pradesh.

Respondents

WHEREAS the Petitioner above named through its Advocate Sri Peeta Raman presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ or order, orders or directions more particularly one in the nature of Writ of Mandamus –

- i) declaring the action of the 8th respondent in disconnecting electricity power supply to the petitioner's trust w.e.f., 12-06-2023 without following due process. and also
- ii) the action of the 4th respondent in issuing termination of High-Tension (HT) agreement vide proceedings No.SE/O/VSP/EE/T/DEE/C/AE/C1/E 20455/D.No.I/461425/2023, dt.25-02-2023. and further
- iii) the action of the 8th respondent in passing provisional assessment order vide Lr.No.DY.EE/OSD/PENDURTHI/F.HT CASE/D.NO.845, dt.27-06-2023 as illegal, arbitrary, discriminative besides violative of the Arts.14 and 21 of the Constitution of India. And

- iv) consequently, set aside the same besides directing the respondents-in general 4th, 5th and 7th respondents in particular to restore the electricity power supply to the petitioner's trust bearing SC No.VSP1871 in limini.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Peeta Raman Advocate for the Petitioner, Sri Metta Chandra Shekara Rao, learned Standing Counsel for the APEPDCL, takes notice for the respondents, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Chairman and Managing Director ,Eastern Power Distribution Company Of Andhra Pradesh Limited, PandT Colony, SeethaMmadhara, Visakhapatnam, Andhra Pradesh.
2. The Chief General Manager (OandM), APEPDCL, PandT Colony, Seethammadhara, Visakhapatnam, Andhra Pradesh.
3. The Chief General Manager (Revenue), APEPDCL, PandT Colony, Seethammadhara, Visakhapatnam, Andhra Pradesh.
4. The Superintending Engineer (O), APEPDCL, Visakhapatnam Operation Circle, Visakhapatnam, Andhra Pradesh.
5. The Senior Accounts Officer, O/o. Superintending Engineer (O), APEPDCL, Visakhapatnam Operation Circle, Visakhapatnam, Andhra Pradesh.
6. The Executive Engineer (O), APEPDCL, Zone-III, Madhurawada, Visakhapatnam, Andhra Pradesh.
7. The Deputy Executive Engineer (DPE/HT), APEPDCL, Corporate Office, PandT Colony, Seethammadhara, Visakhapatnam, Andhra Pradesh.
8. The Deputy Executive Engineer (O), APEPDCL, Pendurthy, Visakhapatnam, Andhra Pradesh.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith(copy enclosed) this WRIT PETITION should not be admitted on or before 05.07.2023, on which date the case stands posted for hearing.

The Court made the following order:

“ Notice before admission.

Sri Metta Chandra Shekara Rao, learned Standing Counsel for the APEPDCL, takes notice for the respondents and sought time till tomorrow for getting instructions.

Post on 05.07.2023, in the ‘motion list.’”

//TRUE COPY//

**Sd/- T. MADHAVI
ASSISTANT REGISTRAR**

For /

SECTION OFFICER

To,

1. The Chairman and Managing Director ,Eastern Power Distribution Company Of Andhra Pradesh Limited, PandT Colony, SeethaMmadhara, Visakhapatnam, Andhra Pradesh.
2. The Chief General Manager (OandM), APEPDCL, PandT Colony, Seethammadhara, Visakhapatnam, Andhra Pradesh.
3. The Chief General Manager (Revenue), APEPDCL, PandT Colony, Seethammadhara, Visakhapatnam, Andhra Pradesh.
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6. The Executive Engineer (O), APEPDCL, Zone-III, Madhurawada, Visakhapatnam, Andhra Pradesh.
7. The Deputy Executive Engineer (DPE/HT), APEPDCL, Corporate Office, PandT Colony, Seethammadhara, Visakhapatnam, Andhra Pradesh.
8. The Deputy Executive Engineer (O), APEPDCL, Pendurthy, Visakhapatnam, Andhra Pradesh.(1to 8 by RPAD- along with a copy of petition and affidavit)
9. One CC to Sri Peeta Raman Advocate [OPUC]
10. One CC to Sri Metta Chandra Shekara Rao, learned Standing Counsel [OPUC]
11. One spare copy

RVK

HIGH COURT

RCJ

DATED:04/07/2023

POST ON 05.07.2023, IN THE 'MOTION LIST.'

NOTICE BEFORE ADMISSION

WP.No.15737 of 2023

