

(SHOW CAUSE NOTICE BEFORE ADMISSION)

IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 19238 OF 2023

Between:

M/s.BIOP Steels & Power Pvt. Ltd., Sy.No.124, A,B,C, 133 to 141, 143 & 144, Obulapuram (V), D'Hirehal (M), Anantapuram District, Andhra Pradesh 515872, With Service Connection No. ATP-632, Rep. by its Authorized Signatory, Mr.Ramachandra Hulamani

Petitioner

AND

1. The State of Andhra Pradesh, Energy Department, Secretariat, Velagapudi, Amaravathi, Guntur District, Rep. by its Principal Secretary.
2. Andhra Pradesh Southern Power Distribution Company Ltd., Represented by its Chairman & Managing Director, 19-13-65/A Srinivasapuram, Tiruchanoor Road Tirupathi
3. The Superintendent Engineer, Operation Circle, APSPDCL, Anantapuram.
4. The Senior Accounts Officer, Operation Circle, APSPDCL, Anantapuram District

Respondents

WHEREAS the Petitioner above named through its Advocate SRI.CHALLA GUNARANJAN 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, order or direction more particularly one in the nature of the writ of MANDAMUS declaring the action of the 4th Respondent in computing the grid support charges at Rs. 50 per KW per month against the Petitioner's 6 MW Captive - Cogeneration Plant at Sy.No.124, A, B, C, 133 to 141, 143 & 144, Obulapuram (V), D'Hirehal (M), Anantapuram District, Andhra Pradesh and consequential action in demanding the Petitioner's Unit to pay Rs.2,50,000/- per month towards Grid Support Charges from April 2022 as arbitrary, illegal, unjust, contrary to provisions of the Electricity Act, 2003, Tariff Order for Retail Sale of Electricity during FY2022-23 and consequently direct the Respondent DISCOM herein to refund the excess amount of Rs. 18,75,000/- charged towards Grid Support Charges from April 2022 to June 2023.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of SRI.CHALLA GUNARANJAN Advocate for the Petitioner, Government Pleader for Energy for



Respondent No.1 and of Sri.V.R.Reddy Kovvuri, Standing Counsel for Respondent Nos.2 to 4, 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 Principal Secretary, Energy Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Chairman & Managing Director, Andhra Pradesh Southern Power Distribution Company Ltd., 19-13-65/A Srinivasapuram, Tiruchanoor Road Tirupathi
3. The Superintendent Engineer, Operation Circle, APSPDCL, Anantapuram.
4. The Senior Accounts Officer, Operation Circle, APSPDCL, Anantapuram District

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 16.08.2023 on which date the case stands posted for hearing.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Learned Government Pleader for Energy takes notice on behalf of respondent No.1.

Sri.V.R.Reddy Kovvuri, learned Standing Counsel for APSPDCL, takes notice on behalf of respondent Nos.2 to 4.

For counter, post the matter on 16.08.2023.

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

//TRUE COPY//

For A:

SECTION OFFICER

To,

1. The Principal Secretary, Energy Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Chairman & Managing Director, Andhra Pradesh Southern Power Distribution Company Ltd., 19-13-65/A Srinivasapuram, Tiruchanoor Road Tirupathi
3. The Superintendent Engineer, Operation Circle, APSPDCL, Anantapuram.
4. The Senior Accounts Officer, Operation Circle, APSPDCL, Anantapuram District (1 to 4 by RPAD- along with a copy of petition and affidavit)
5. One CC to SRI.CHALLA GUNARANJAN Advocate [OPUC]
6. Two CCs to GP for Energy, High Court of Andhra Pradesh. [OUT]
7. One CC to Sri.V.R.Reddy Kovvuri, Standing Counsel (OPUC)
8. One spare copy

SRL

HIGH COURT

RCJ

DATED:02/08/2023

NOTE: POST THE MATTER ON 16.08.2023

NOTICE BEFORE ADMISSION

WP.No.19238 of 2023

