

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

WEDNESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SMT JUSTICE P.MADHAVI DEVI

WRIT PETITION NO: 28358 OF 2022

Between:

1. Kandadi Jagjeevan Reddy, S/o Late K. Badramma, aged about 60 years, Occ. Business.
2. Kandadi Narsimha, S/o Late K. Badramma, aged about 52 years, Occ. Business.
3. Kandadi Sumanth Reddy, S/o Late K. Ramreddy alias Ramchandra Reddy, aged about 36 years, Occ. Private Service.

Petitioner No.1 to 3 are R/o H.No.18-4-738, Aliyabad, Bandlaguda, Charminar, Hyderabad.

...PETITIONERS

AND

1. State of Telangana, Rep. by Principal Secretary (Power and energy), Secretariate, Hyderabad.
2. Chairman and Managing Director, Telangana State Southern Power Distribution Company Ltd., Viduthsouda Hyderabad.
3. Superintendent Engineer(Operations), Telangana State Southern Power Distribution Company Ltd., Rajendranagar Division, Rethibowli, Mehdiapatnam, Hyderabad.
4. Divisional Engineer, Rajendranagar, Opp. Police Academy, Shivarampally, Rajendranagar, R.R.District.
5. The Assistant Engineer(Operation), Mailardevpally Sector, Telangana State Southern Power Distribution Company Ltd., Mailardevpally, Hyderabad.
6. M/s. Pride India Mansions, Having Regd. Office at 18-14-6, G. M. Nagar, Kanchanbagh, Santhosh Nagar X Road, Hyderabad, Telangana.
7. Mohammed Aijaz, S/o. Late Mohammed Rahman, Aged about 46 years, Occ. Business, R/o. H.No. 20-4-631/4, Chowk, Shah Gunj, Charminar, Hyderabad.
8. Naseem Alnesa, D/o. Mahboob Ali Ghouse, Aged about 64 years, Occ. Household, R/o. H.No. 18-1-350/11/53, Yousufian Colony, Chandrayangutta, Hyderabad, Telangana state.
9. Mahboob Unisa, W/o. Mohd. Abdul Rasheed, Aged about 74 years, Occ. Household, R/o. H.No. 17-1-182/D/55, Mumtaz Colony, Santhosh Nagar, Saidabad, Hyderabad-500059.
10. Husain Bin Ahmed, S/o. Late Ahmed Bin Saleh, Aged about 57 years, Occ. Business, R/o. H.No. 17-3-3/1/83, Azmath Nagar, Yakuthpura, Hyderabad, Telangana State.
11. Saleh Bin Mohd, S/o. Late Mohd Bin Salam, Aged about 35 years, Occ. Business, R/o. H.No. 23-3-78, Sultan Shahi, Hyderabad, Telangana State.

...RESPONDENTS

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 any appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents no.1 to 5 in not considering and taking any steps in relation to the representations dated 21/4/2022, 13/5/2022, 24/5/2022 and 25/5/2022 of the petitioners herein to remove/ stop the power supply to the Respondents no. 6 to 11 who are illegally obtained the service connections bearing no. 5105 09571, 5105 09572, 5105 09573, 5105 09585, and 5105 09538 along with other connections on the property of the petitioners' over the land of the Sy.No. 103/1, 103/11, 103/12 and 103/20/1 admeasuring Ac. 42.30 Gts at Bandlaguda, Chandrayanagutta, Hyderabad as illegal, arbitrary unconstitutional and contrary to the provisions to GHMC Act, 1955 and consequently direct the respondents No. 1 to 5 immediately stop/ remove illegal power connections by the respondent No.6 to 11 and others.

IA NO: 1 OF 2022

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 no. 1 to 5 herein to take forth with to initiate action to the representations dated 21.4.2022, 13/5/2022, 24/5/2022 and 25/5/2022 of the petitioners herein to remove/stop the power supply to the Respondents no. 6 to 11 as well as of other connections who are illegally obtained service connections bearing no. 5105 09571, 5105 09572, 5105 09573, 5105 09585, and 5105 09538 along with other connections on the property of the petitioners' over the land of the Sy.No. 103/1, 103/11, 103/12 and 103/20/1 admeasuring Ac. 42.30 Gts at Bandlaguda, Chandrayanagutta, Hyderabad as illegal, arbitrary unconstitutional and contrary to the provisions to Electricity Act and Rules and consequently direct the respondents No. 1 to 5 immediately stop/ remove illegal power connections by the respondent No.6 to 11 and others pending disposal of the above writ petition.

Counsel for the Petitioners: SRI R.BALA SUBRAMANYAM

Counsel for the Respondent No.1: GP FOR ENERGY

Counsel for the Respondent Nos.2 TO 5: SRI R.VINOD REDDY, SC FOR TSTRANSCO

Counsel for the Respondent No.6: SRI D.JAGADESHWAR RAO

Counsel for the Respondent Nos.7 TO 11: ---

The Court made the following: ORDER

THE HONOURABLE SMT JUSTICE P.MADHAVI DEVI

W.P.No. 28358 of 2022

ORDER:

In this writ petition, petitioner is seeking a writ of mandamus declaring the action of the respondents No.1 to 5 in not taking any steps on the representations of the petitioner dated 21.04.2022, 13.05.2022, 24.05.2022 and 25.05.2022, to remove/stop the power supply to the respondents No.6 to 11, as illegal and arbitrary and to pass such other order or orders.

2. Learned counsel for the petitioner submitted that the petitioner has made several representations to the respondents No.1 to 5 to remove the electricity connections given to the illegal constructions made by the respondents No.6 to 11.

3. Learned Standing counsel appearing for the respondents has filed counter affidavit stating that on receipt of applications from the respondents No.6 to 11 and after verifying the documents and finding that the said documents are in compliance with general terms and conditions of

supply, the service connections have been granted and that all the service connections are live and the bills are being paid by them regularly.

4. Learned counsel appearing for the respondents No.6 to 11, submitted that the respondents have made proper constructions and have obtained the service connections in accordance with the law.

5. In view of the specific grievance of the petitioner that the constructions are made illegally and that the connections are not properly given, this Court deems it fit and proper to permit the petitioner to make a fresh representation giving all the necessary details to the respondents No.4 and 5, who shall consider the same and if necessary give notices to the affected parties i.e., respondents No.6 to 11 and take action thereafter in accordance with the provisions of Electricity Act. The entire exercise shall be completed within a period of three (3) months from the date of receipt of representation of the petitioner.

6. Accordingly, this writ petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

//TRUE COPY//

SD/-G.SIREESHA
ASSISTANT REGISTRAR
SECTION OFFICER

To

1. State of Telangana, Rep. by Principal Secretary (Power and energy), Secretariate, Hyderabad.
2. Chairman and Managing Director, Telangana State Southern Power Distribution Company Ltd., Viduthsouda Hyderabad.
3. Superintendent Engineer(Operations), Telangana State Southern Power Distribution Company Ltd., Rajendranagar Division, Rethibowli, Mehdiapatnam, Hyderabad.
4. Divisional Engineer, Rajendranagar, Opp. Police Academy, Shivarampally, Rajendranagar, R.R.District.
5. The Assistant Engineer(Operation), Mailardevpally Sector, Telangana State Southern Power Distribution Company Ltd., Mailardevpally, Hyderabad.
6. M/s. Pride India Mansions, Having Regd. Office at 18-14-6, G. M. Nagar, Kanchanbagh, Santhosh Nagar X Road, Hyderabad, Telangana.
7. Two CCs to GP FOR ENERGY, High Court for the State of Telangana, at Hyderabad. [OUT]
8. One CC to SRI R.BALA SUBRAMANYAM, Advocate [OPUC]
9. One CC to SRI R.VINOD REDDY, SC FOR TSTRANSCO [OPUC]
10. One CC to SRI D.JAGADESHWAR RAO, Advocate [OPUC]
11. Two CD Copies

PSK.
SW

CC TODAY

HIGH COURT

DATED:08/02/2023

ORDER

WP.No.28358 of 2022



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

14 VW
13/2/23