

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

FRIDAY, THE FOURTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 6253 OF 2022

Between:

G. Vanisree, W/o Gopalakrishna, Aged about 55 years, Occ. Household,
R/o 14/2/332/9/1, Jambagh, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary, Power and Energy Department, Secretariat, Hyderabad - 500022.
2. Southern Power Distribution Company Ltd. of Telangana, Represented by its Chairman and Managing Director, Office at Mint Compound, Hyderabad.
3. Southern Power Distribution Company Ltd. of Telangana, Southern Power Distribution Company Ltd. of Telangana Represented by its Superintending Engineer, operations, Medchal Circle, Office at Gunrock, Secunderabad.
4. Southern Power Distribution Company Ltd. of Telangana, Represented by its Divisional Engineer (Operation) Nizampet Division office, Medchal Malkajgiri District.
5. Southern Power Distribution Company Ltd. of Telangana, Represented by its Addl. Assistant Engineer, Operations Pragathi Nagar, Office at Pragathi Nagar, Medchal Malkajgiri District.
6. The Nizampet Municipal Corporation, Rep by its Commissioner, Medchal Malkajgiri District.

...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 a Writ, order or direction more particularly one in the nature of Writ of Mandarrfus by declaring the action of the Respondents authorities more particularly Respondent No.4 and 5 authorities in refusing to release the power supply vide rejection letter Reference No. LTM226480102, dated 31/01/2022 to the petitioner's premises bearing Plot No.75, admeasuring 200 sq yards, forming part of the Layout Plan, Situated at Bachupalli village, Qutubullapur Revenue Mandal, Mallampet Gram Panchayat, Ranga Reddy District now, Medchal-Malkajgiri District, on the ground of letter reference No.NMC/G/03/2020 dated 14/05/2020 issued by the Respondent No.6 (not to release the power supply for illegal construction) as illegal, arbitrary, without any jurisdiction, contrary to the provisions of electricity Act 2003 and violative of Article 14 of the Constitution of India and consequently direct the Respondents No.4 and 5 authorities herein to release the power supply to the petitioner property bearing Plot No.75, admeasuring 200 sq yards, forming part of the Layout Plan. Situated at Bachupalli village, Qutubullapur Revenue Mandal, Mallampet Gram Panchayat, Ranga Reddy District now, Medchal-Malkajgiri District, without referring to letter reference No.NMC/G/03/2020 dated 14/05/2020 issued by the 6th Respondent.

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 Respondent authorities more specifically respondents 4 and 5 authorities herein to release the power supply to the petitioners property bearing Plot No.75, admeasuring 200 sq yards, forming part of the Layout Plan, Situated at Bachupalli village, Qutubullapur Revenue Mandal, Mallampet Gram Panchayat, Ranga Reddy District now, Medchal-Malkajgiri District without referring to letter reference No. NMC/G/03/2020 dated 14/05/2020 issued by the 6th Respondent pending disposal of the main writ petition.

Counsel for the Petitioner:SRI. HARI KISHAN KUDIKALA

Counsel for the Respondent No.1: GP FOR ENERGY

Counsel for the Respondent No.2 to 5: SRI R.VINOD REDDY(SC FOR TSSPDCL)

Counsel for the Respondent No.6: SRI N.PRAVEEN KUMAR(SC FOR MC)

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION No.6253 of 2022

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Energy appearing for respondent No.1, Sri R.Vinod Reddy, learned Standing Counsel for TSSPDCL, appearing for respondent Nos.2 to 5, and Sri N. Praveen Kumar, learned Standing Counsel for Municipalities appearing for respondent No.6. With their consent, the Writ Petition is disposed of at the stage of admission itself.

2) In this writ petition, the petitioner is aggrieved by the action of the respondents, more particularly respondents 4 & 5, in refusing to release the power supply to the premises of the petitioner bearing plot No.75, admeasuring 200 sq. yards, situated at Bachupally Village, Qutubullapur Revenue Mandal, Mallampet Gram Panchayat, Medchal-Malkajgiri District.

3) Learned counsel for the petitioner submits that the respondent authorities have refused to release the power supply to the subject premises belonging to the petitioner *vide* Reference No.LTM226480102, dated 31.01.2022.

4) Learned Standing Counsel for respondent Nos.2 to 5, on instructions, has stated that basing on the letter addressed by respondent No.6, *vide* No.NMC/G/03/2020 dt.14.05.2020, power supply to the premises of the petitioner was refused to be released.

Learned Standing Counsel further submits that if the petitioner makes an application, again, the authorities will receive the same and pass necessary orders thereon, as per law.

5) In view of the above made submissions, the petitioner is directed to submit a fresh application before respondents No.4 & 5 seeking release of power supply to the subject premises, which shall be received by the authorities and necessary orders be passed thereon, strictly as per law, without reference to the proceedings in No.NMC/G/03/2020 dt.14.05.2020 of respondent No.6, as expeditiously as possible, preferably, within a period of four weeks from the date of receipt of a copy of this order.

6) Accordingly, the Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Power and Energy Department, State of Telangana Secretariat, Hyderabad - 500022
2. The Chairman and Managing Director, The Southern power distribution company Ltd. of Telangana, Office at Mint Compound, Hyderabad.
3. The Superintending Engineer, operations, The Southern power distribution company Ltd. of Telangana, Medchal Circle, Office at Gunrock, Secunderabad.
4. The Divisional Engineer (Operation), The Southern power distribution company Ltd. of Telangana Nizampet Division office, Medchal Malkajgiri District
5. The Addl. Assistant Engineer, Operations, The Southern power distribution company Ltd. of Telangana, Pragathi Nagar, Office at Pragathi Nagar, Medchal Malkajgiri District.
6. The Commissioner, Nizampet Municipal Corporation, Nizampet, Medchal-Malkajgiri District.
7. One CC to SRI. HARI KISHAN KUDIKALA Advocate [OPUC]
8. Two CCs to GP FOR ENERGY, High Court for the State of Telangana. [OUT]
9. One CC to SRI R.VINOD REDDY(SC FOR TSSPDCL), Advocate [OPUC]
10. One CC to SRI N.PRAVEEN KUMAR(SC FOR MC), Advocate [OPUC]
11. Two CD Copies.
12. One Spare Copy.

HIGH COURT

DATED:04/02/2022



ORDER

WP.No.6253 of 2022

**DISPOSING OF THE WP
AT THE ADMISSION STAGE
WITHOUT COSTS.**

(14)
8/2/22
HVS