

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

WRIT PETITION No. 24519 of 2007

**Date: 22.12.2015**

**Between:**

Gedela Kondamma,  
Vizianagaram District.

.... Petitioner

**And**

The Assistant Engineer,  
A.P.E.P.E.D.C.L.,  
Vizianagaram, and others.

... Respondents

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WRIT PETITION No. 24519 of 2007

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**ORDER:**

This writ petition is filed seeking a writ of *mandamus* directing respondent Nos.1 to 4 to continue the power supply to the house of the petitioner under Service Connection No.2219, Category-I of Nellimarla Village, Vizianagaram District, under free category, without insisting payment of any arrears.

The petitioner was issued with a bill dated 21.03.2007 for Rs.7,116/- towards arrears and Rs.1391/- towards the alleged malpractice. As the petitioner did not pay the same, power supply to her service connection came to be disconnected. Questioning the same, the petitioner filed the writ petition seeking the relief as stated above.

Heard Sri Madhava Rao Ambadipudi, learned counsel for the petitioner and Sri M. Ravindra, learned Standing Counsel for the respondent-A.P.E.P.D.C.L.

This Court, on 20.11.2007, while admitting the writ petition directed restoration of power supply to Service Connection No. 2219, on condition of the petitioner paying a sum of Rs.4,000/-.

Learned counsel for the petitioner submits that his client had paid the said amount.

The writ petition came to be dismissed for non-prosecution on 09.12.2014. Immediately thereafter, the respondent authorities appear to have disconnected the power supply to the petitioner. Today, this Court allowed the restoration petition in W.P.M.P.No.46349 of 2015. Though the writ petition is of the year 2007, no counter affidavit has

been filed.

Section 65 of the Electricity Act, 2003 prohibits granting of free power to any consumer or class of consumers unless equivalent amount is paid by the Government by way of subsidy. The said amounts are required to be paid in advance. It is not the case of the petitioner that she is entitled to free power supply under any of the schemes notified by the Government, which are approved by the A.P Electricity Regulatory Commission by way of a tariff order.

In the absence of any such scheme being available for providing free power supply, the relief sought for by the petitioner cannot be granted. However, considering the fact that the petitioner is ready to pay the arrears, liberty is given to her to make an application to the respondent authorities for restoration of power supply. As and when such application is made by the petitioner, the respondent authorities shall intimate the amount payable by her within a period of one week and thereafter, the petitioner is at liberty to pay the same and get the power supply restored.

Accordingly, the writ petition is disposed of.

The Miscellaneous Petitions filed in this Writ Petition shall also stand disposed of. There shall be no order as to costs.

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**CHALLA KODANDA RAM, J**

Date: 22.12.2015

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