

IN THE HIGH COURT OF JUDICATURE; AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WRIT PETITION No. 25181 of 2015

BETWEEN

Chilukuri Siva Ramakrishna

....Petitioner

And

Eastern Power distribution Company of Andhra Pradesh

Limited, rep. by its Superintending Engineer, (Operation Circle),

Rajahmundry, East Godavari District and ors.

.....Respondents.

DATE OF JUDGMENT PRONOUNCED: 11.08.2015.

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

1. Whether reports of Local newspapers
may be allowed to see the judgments? YES/NO

2. Whether the copies of judgments may be
marked to Law Reporters/Journals. YES/NO

3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment ? YES/NO.

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 25181 of 2015

ORDER:

Heard learned Counsel for the petitioner and learned Standing Counsel
for the respondents.

The petitioner claims to be the owner and possessor of agricultural land
in AP Trayam Village, Pedapudi Mandal, East Godavari District. He has
obtained power connection under LT3-Industrial category to his bore well vide
S.C.No.1451510651001113 for drawing water for the purpose of aqua culture.

While so, the said power connection was inspected by the Divisional Engineer, Visakhapatnam on 26.6.2015 and it was noticed that the petitioner is availing three phase power supply by means of phase changing condenser and auto starter was connected to his three phase motor dishonestly and thereby the Divisional Engineer came to the conclusion that the petitioner is indulged in theft of power energy. The theft of energy by the petitioner was provisionally assessed at Rs.2,76,059/- and the petitioner was asked to pay 50% of the said amount for restoration of power supply.

This Court is not convinced for granting any interim relief staying the operation of the impugned order, however, directs the respondents to refer the matter to the Special Court constituted under Section 154(5) of the Indian Electricity Act as soon as the amount is paid by the petitioner as demanded in the provisional notice dated 9.7.2015.

Subject to the above, the Writ Petition is disposed of. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE A. RAMALINGESWARA RAO

DATED 11th August, 2015.

Note: CC in two days.

(BO) Msnr_x