

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

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WRIT PETITION No.24391 of 2015

Between:

Sappa Chinna Rao.

....Petitioner

and

Eastern Power Distribution Company of AP Limited,
Rep.by its Chairman and Managing Director,
Visakhapatnam,
And another.

....Respondents

DATE OF JUDGMENT PRONOUNCED: 13.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2. | Whether the copies of judgment may be Marked to Law Reporters/Journals? | Yes/No |
| 3. | Whether His Lordship wishes to see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.24391 of 2015

ORDER:

The petitioner is stated to be the tenant and occupier of the property bearing No.20-1, Puligamma Village, Undi Mandal in West Godavari District. Along with the tenancy, he has taken the electricity service connection bearing No.1531500718000049 and 1531500718000020 standing in the name of the landlord under non-domestic and commercial category. While so, on 08.07.2015 the

premises was inspected and it was noticed that there was theft of electricity in respect of service connection bearing No.1531500718000049 and a notice was issued for payment of Rs.1,59,635/- along with supervision charges, reconnection charges and a compounding fee of Rs.32,000/-. The petitioner states that he paid the compounding fee under protest and when the service connection was not restored, the present Writ Petition is filed.

Learned Counsel for the petitioner submits that the theft was alleged in respect of only one service connection, whereas the service to two connections was disconnected.

In view of the allegation of theft in respect of service connection No.1531500718000049, liberty is given to the petitioner to pay the amount demanded in the letter dated 11.07.2015, and as and when the petitioner pays the said amount, the service connection shall be restored. In respect of the other service connection, where there is no allegation, it is needless to mention that the respondents shall restore the service connection. As and when the petitioner pays the amount as demanded in the letter dated 11.07.2015, the service connection shall be restored and the matter may be referred to the Special Court constituted under Section 154(5) of the Electricity Act, 2003, for determination of civil liability of the petitioner.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

13.08.2015

vs