

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SEVENTH DAY OF AUGUST
TWO THOUSAND AND NINE

:PRESENT:

THE HON'BLE SRI JUSTICE **GOPALA KRISHNA TAMADA**

WRIT PETITION NO : 17964 of 2009

Between:

M/s. Sri Balaji Modern Rice Mill, A Partnership firm having its place of Business at Veeraguttam, Srikakulam District, represented by its Managing Partner Sri.K.Janardhan Rao S/o. Late Sri Rama Murthy, R/o.Veeraguttam, Srikakulam District.

..... Petitioner

AND

1 Assistant Divisional Engineer, Operations, A.P. Eastern Power Distribution Company

Ltd., Seethampet, Srikakulam District.

2 Assistant Engineer, Operations, A.P. Eastern Power Distribution Company Ltd.,

Veeraguttam, Srikakulam District.

3 The Accounts Officer / ERO, A.P. Eastern Power Distribution Company Ltd., Palakonda, Srikakulam District.

.....Respondents

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of writ of Certiorari and quash the demand raised by the 3rd respondent for the petitioners electricity service connection No.13 C401 00652 for the month of July, 2009 amounting to Rs.54,987/- as arbitrary, illegal, unconstitutional and ultra vires the terms and conditions of supply and violative of the petitioners right guaranteed under Art. 14, 19, 300A of the Constitution of India, violative of the principles of natural justice.

The petition coming on for hearing, upon perusing the petition and the

affidavit filed herein, and upon hearing the arguments of Sri R.Sudheer, Advocate for the Petitioner, and of Sri O.Manohar Reddy, advocate for the Respondents, the Court made the following;

ORDER:

“Learned standing counsel for A.P. Transco is directed to get instructions.

Post after ten days.

According to the petitioner, it paid the arrears of Rs. 50,000/- relating to the previous month and when the said amount is deducted the arrest as on today is only Rs. 54,000/-.

Hence, there shall be interim stay of disconnection of electricity for the petitioner’s service connection No. 13 C401 00652 on condition of petitioner depositing 1/3rd of the amount is demand, within a week’s time.”

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

- 1 The Assistant Divisional Engineer, Operations, A.P. Eastern Power Distribution Company Ltd., Seethampet, Srikakulam District.
- 2 The Assistant Engineer, Operations, A.P. Eastern Power Distribution Company Ltd.,

Veeraguttam, Srikakulam District.

- 3 The Accounts Officer / ERO, A.P. Eastern Power Distribution Company Ltd., Palakonda, Srikakulam District. (Addressees 1 to 3 BY RPAD)
4. One CC to Sri R.Sudheer, advocate (OPUC)
5. One Spare Copy

HIGH COURT

TGKJ

DATE: 27-8-2009

ORDER

WP. NO. 17964 OF 2009

INTERIM STAY