

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

WRIT PETITION No. 23583 of 2015

BETWEEN

Mohd. Maqsood

...Petitioner

And

The Southern Power Distribution Company of
Telangana Government Limited, Ranga Reddy District,
Rep. by its Chairman and Managing Director and ors.

...Respondents.

DATE OF JUDGMENT PRONOUNCED: 04.08.2015.

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. 23583 of 2015

ORDER:

Heard learned Counsel for the petitioner and learned Standing Counsel
for Respondents 1 to 3.

The petitioner states that he took “ Maa Sai Bakery” on lease from its
owner and is running bakery business under the same name and style. As per
the lease conditions, the petitioner has to pay monthly electricity consumption
charges in respect of Service Connection bearing No. 150100939 Category LT

II(B)—Non Domestic/Commercial provided to the said shop. While so, on 15.6.2015 at about 4.30 PM the electricity officials along with police came to the petitioner's bakery shop and removed the electricity meter fixed to the said shop. Thereafter, a provisional assessment notice for theft of electricity was issued on 4.7.2015. The petitioner was also asked to pay amounts of Rs.90, 802/- and Rs.22,000/-. When the respondents disconnected the power supply, the petitioner filed the present Writ Petition challenging the said action.

When the Writ Petition came up for consideration on 29.7.2015, it was adjourned for getting instructions by the learned Standing Counsel for respondents 1 to 3. Meanwhile, the petitioner paid sums of Rs.90, 802/- towards 50% of the loss of energy and Rs.22,000/- towards compounding fee.

Since the matter relates to theft of energy, respondents 1 to 3 are directed to refer the matter to the Special Court under Section 154 of the AP Electricity Act for fixing the civil liability and the amounts paid by the petitioner shall be subject to the orders to be passed by the Special Court.

At this stage, the learned Counsel for the petitioner submits that after the payment of amounts in demand, the service connection was restored; however electricity meter was not sealed. If that be so, respondents 1 to 3 shall take necessary action for sealing the electricity meter provided to the petitioner's bakery shop.

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 4th August, 2015.

Msnr_x