

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.5834 of 2015

ORDER:

Heard Sri G.Rama Gopal, learned counsel appearing for the petitioner and Sri P.Anand Seshu, learned standing counsel for the respondents.

2 . The petitioner filed this writ petition seeking Writ of *Mandamus* declaring the action of the 2nd respondent in issuing the proceedings letter No.ADE/O/PDT/F.Doc./D.No.151/2015 dated 10.02.2015, as illegal and arbitrary.

3 . It is submitted by the learned counsel appearing for the petitioner that the petitioner is the owner of the premises bearing D.No.2-21, which consists of Ground + 2 Upper Floors of RCC building, having purchased the same under unregistered sale deed dated 26.03.2010 and he has been paying the property tax regularly. It is further submitted that as the petitioner is having two separate residential units, he applied for two domestic supply services by furnishing necessary documents. Accordingly, two service connections were provided on 16.11.2014 by the respondents and the petitioner has been paying electricity charges regularly. According to the petitioner, it is not the case of the respondents that he is not in lawful possession of the property. The 2nd respondent issued letter dated 10.02.2015 directing the petitioner to produce the registered sale deed in respect of the property. The petitioner submitted a reply on 16.02.2015 stating that the original un-registered sale deed relating to the property is in Civil Court. The apprehension of the petitioner is that the respondents have been contemplating to disconnect the power supply on the ground of non-production of the sale deed.

4. Since the petitioner has been regularly paying the electricity consumption charges, this Court is of the view that the respondents are

not supposed to indulge in minute examination of the title and that they shall not disconnect the power supply on the ground of non-production of original unregistered sale deed.

5. Under these circumstances, the writ petition is allowed directing the respondents not to disconnect the power supply to the residential premises of the petitioner on the ground of non-production of original unregistered sale deed by the petitioner. The respondents are further directed to consider and dispose of the representation filed by the petitioner, which is pending before them, within a period of two months from the date of receipt of a copy of this order. Miscellaneous applications, if any, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 10.03.2015
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HON'BLE SRI JUSTICE R. KANTHA RAO

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