THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NOs.20870 of 2011; 17886, 18365, 18368, 18386 and 18495 of 2012

DATED:25-6-2015

W.P. No.20870 of 2011

Between:

M/s. Sri Chakra Oils & Extractions Pvt. Ltd.,
Rep. by its Managing Director
Ch. Gopala Krishna Reddy
Pera Ramachandrapuram (PO)
Anaparthy (M)
East Godavari District
… Petitioner

And

The A.P. Eastern Power Distribution
Company Limited
Rep. by its Superintending Engineer
Operation Circle
APEPDCL,
Godavari Bund
Rajahmundy (PO)
East Godavari District
and another … Respondents

… Respondents

COUNSEL FOR THE PETITIONER: Mr. P. Narasimha Rao

COUNSEL FOR THE RESPONDENTS: Mr. P. Anand Seshu,
Standing Counsel for
APEPDCL

THE COURT MADE THE FOLLOWING:
COMMON ORDER:

This batch of writ petitions raise a common question, namely, the power of the respondents to demand and collect two months consumption deposit even though the petitioners are willing to receive power supply through pre-paid meters under Section 47(5) of the Electricity Act, 2003.

At the hearing, it is submitted that the period for which the additional consumption deposit was demanded has already expired. It has also come to light that after filing of these writ petitions, the Andhra Pradesh Electricity Regulatory Commission has amended Clause 4(3) of Regulation No.6 of 2004, vide Regulation 3 of 2013, which has a direct bearing on the issue raised by the petitioner. Unless the petitioners question this amendment, it is not possible to grant any relief to the petitioners.

In this view of the matter, the writ petitions are dismissed as infructuous with liberty to the petitioners to raise the question of demand of additional consumption deposit in future by raising all legally permissible grounds, including those raised in these writ petitions.

As a sequel to dismissal of the writ petitions, the interim orders granted by this Court shall stand vacated and all the pending interlocutory applications shall stand disposed of as infructuous.

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C.V. NAGARJUNA REDDY, J

25-6-2015

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