

**HON'BLE SRI JUSTICE R. KANTHA RAO**

**W.P.No.7267 of 2015**

**ORDER:**

Heard learned counsel appearing for the petitioner and Sri O. Manohar Reddy, learned counsel for respondents 1 to 7.

2. This Writ Petition is filed questioning the action of respondents in charging more electricity charges than the stipulated tariff by the APERC, as illegal, arbitrary and without jurisdiction and for further direction to the respondents to collect the charges from the petitioner in relation to the Service Nos.1701 02883 to 1701 02889 as fixed by the APERC and direct the respondents to adjust the excess amounts paid by the petitioner in future bills.

3. According to the petitioner, he is the absolute owner and possessor of the property bearing No.5-6-36/284, LIG-284, APHB Colony, Hyderabad and that he made an application to the respondents to provide seven independent domestic service connections under a panel board to avoid the controversy in relation to the electricity bills between his tenants by paying all necessary and incidental charges and after collecting the charges, respondents have provided seven independent domestic service connections to his building and also fixed the tariffs and terms and conditions for retail supply. The grievance of the petitioner is that the respondents have been charging three times of actual consumption charges without there being any notice or intimation on the ground that he has not produced the Occupancy Certificate as per G.O.Ms.No.86 dated 03.03.2006.

4. Similar issue has been considered in W.P.No.32906 of 2014 dated 05.11.2014 and the learned single Judge of this Court held that the demand and collection of electricity consumption charges at three times the normal charges from the petitioner cannot be sustained and the same is declared as illegal. The learned single Judge directed the respondents to adjust the excess tariff, if any, collected so far, from the petitioner's future C.C. bills.

5. Therefore, the Writ Petition is disposed of with the direction that the reasons and directions contained therein shall form part of this order. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

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***R. KANTHA RAO, J***

Date: 20.03.2015

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**HON'BLE SRI JUSTICE R.KANTHA RAO**

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