

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

WRIT PETITION No.35048 of 2012

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04.06.2015

Between:

Babu Khan Estate Owners Association, Hyderabad

...Petitioner

And

The Chief General Manager, Commercial, Andhra Pradesh Central
Power Distribution Company Limited,

Hyderabad and others

...Respondents

Counsel for the petitioner: Mr.C.N.Moorthy

Counsel for respondents: Mr.R.Vinod Reddy,

learned standing counsel for APCPDCL

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The Court made the following:

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ORDER:

This writ petition is filed for the following substantive relief:

“.....to issue a writ, order or direction more particularly one in the nature of Mandamus or any other appropriate writ (i) declaring the impugned proceedings issued by the 4th respondent dt.12.10.2012 as illegal, arbitrary, without jurisdiction and set aside the same, (ii) direct the respondents to receive the electricity charges without clubbing the bills, (iii) calling for the records relating to issuance of the impugned proceedings dt.12.10.2012 and (iv) and to pass such other order or orders....”

Having regard to the nature of disputes raised by the petitioner, I feel that this is an eminently fit case where the petitioner shall invoke the jurisdiction of the *Forum* for Redressal of Grievances of the Consumers constituted by respondent No.1 under Section 42(5) of the Electricity Act, 2003 (for short ‘the Act’) and avail further remedy under Section 42(6) thereof in the event, it feels aggrieved by the decision that may be taken by the *Forum*.

Accordingly, the petitioner is permitted to approach the aforementioned *Forum* within one month from the date of receipt of a copy of this order. Till adjudication of the dispute by the *Forum*, the respondents shall not disconnect the power supply to the petitioner's service connection for non-payment of the impugned demand. It is made clear that if the petitioner does not avail the remedy within the above stipulated time, the respondents shall be free to enforce the impugned demand.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.44529 of 2012 filed by the petitioner for the interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

04th June, 2015

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