

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.10304 of 2015

ORDER:

Heard the learned counsel appearing for the petitioners and the learned standing counsel for the 1st respondent.

2. This writ petition is filed seeking writ of *Mandamus* declaring the action of the respondents in attempting to disconnect service connection bearing Nos.116680C009-00068 and 116680C009-000069 of the petitioners' house in Sy.No.31/7 situated at Chukkavanipalem Village, Chapaluppada Panchayat, Bhimunipatnam Mandal, Visakhapatnam District, pending suit vide OS No.209 of 2007, as illegal and arbitrary.

3. The petitioners claim to be the owners of the house situated in Sy.No.31/7 of Chukkavanipalem Village and they are having two service connections in respect of the said house. It is submitted by the learned counsel appearing for the petitioners that one Bada Narsinga Rao, filed a petition before respondent-authorities disputing the title of the petitioners in the subject house. On that, the respondents issued a notice dated 30.03.2015 to the petitioners to show cause as to why service connections shall not be disconnected.

4. It seems that a dispute in relation to the property is pending before the civil Court. In the circumstances, this Court is of the opinion that when there is a civil dispute pending relating to the subject house property, the respondents ought not to have resorted to take steps to disconnect the power supply to the house of the petitioners.

5. Accordingly, the writ petition is allowed by suspending the impugned notice dated 30.03.2015 issued by the 4th respondent to the petitioners. Miscellaneous applications, if any, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 10.04.2015

Note: Furnish CC by 13.04.2015

(BO)

BSS

HON'BLE SRI JUSTICE R. KANTHA RAO

17

URGENT

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

Date: 10.04.2015

BSS