

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

WRIT PETITION NO.15696 OF 2011

DATED:9-7-2015

Between:

M/s. Radha Smelters Limited
(Furnace Division), Sy. Nos.327 & 328
Mirzapally Road, Ch. Shankarampet (Village & Mandal)
Medak District
Rep. by its Managing Director
Mr. Sunil Saraf

... Petitioner

And

The Central Power Distribution Company of
A.P. Limited,
Rep. by its Chief Managing Director
Mint Compound
Hyderabad
and others

... Respondents

... Respondents

COUNSEL FOR THE PETITIONER: Mr. D.V. Nagarjuna Babu

COUNSEL FOR THE RESPONDENTS: Mr. R. Vinod Reddy,
Standing Counsel for APCPDCL

THE COURT MADE THE FOLLOWING:
ORDER:

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In this writ petition, the petitioner questions the power of the respondents to demand and collect two months consumption deposit even though the petitioner is willing to receive power supply through pre-paid meter 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 the writ petition, 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 petitioner questions this amendment, it is not possible to grant any relief to the petitioner.

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

As a sequel to dismissal of the writ petition, the interim order dt.10.6.2011 granted by this Court shall stand vacated and W.P.M.P. No.18806 of 2011 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

9-7-2015

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