

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

WRIT PETITION No.8230 of 2012

-
03.09.2015

Between:

Dullapudi Satish Kumar

.. Petitioner

and

The Eastern Power Distribution Company of A.P. Ltd.,
Kakinada and others

.. Respondents

Counsel for the petitioner: Mr.S.Srinivas

Counsel for respondent Nos.1 to 3: Mr.M.Ravindra,
standing counsel for APEPDCL

Counsel for respondent No.4: --

-
The Court made the following:

-

-

ORDER:

This writ petition is filed for a *mandamus* to declare the action of respondent Nos.1 to 3 in removing the electric pole and disconnecting the power supply to the petitioner's house at door No.54-2-8, Yesuwari Street, Kakinada, East Godavari District, as illegal and arbitrary.

At the hearing, it has come out that pending the writ petition, respondent No.4 died and the petitioner filed W.P.M.P.No.22202 of 2014 for bringing on record her legal representatives. However, considering the scope of the dispute and the manner in which this Court proposes to dispose of this writ petition, it is not necessary to implead the legal representatives of the deceased respondent No.4.

The simple dispute, which generated needless litigation between the petitioner and respondent No.4, pertains to erection and relocation of the electric pole situated in front of the house of respondent No.4 and near the gate of the house of the petitioner being used for access to his house situated on the rear side adjacent to the house of respondent No.4.

After hearing the learned counsel for both parties, this Court is left wondering as to why both parties have indulged in such unproductive and vexatious litigation which also included a civil suit between the parties. It is not the grievance of the petitioner that the relocation of the electric pole would in any manner obstruct the ingress and egress to his house. On the contrary, going by the photographs filed by the petitioner as well as produced by the learned standing counsel for the Andhra Pradesh Eastern Power Distribution Company Limited (A.P.E.P.D.C.L.) appearing for respondent Nos.1 to 3, would show that the relocated site of the electric pole is further away from the

petitioner's gate. If at all, the length of service wire for connecting power supply to the petitioner's house may get increased by such relocation. In fact, this Court feels that the petitioner has made a mountain out of molehill by indulging in unnecessary litigation. When respondent Nos.1 to 3 are prepared to restore the power supply after relocation, I do not find any conceivable reason for the petitioner to feel aggrieved by the relocation of the electric pole.

In the above facts and circumstances of the case, the Writ Petition is dismissed as wholly unnecessary, however, with the direction to respondent Nos.1 to 3 to immediately restore the power supply to the petitioner's house from the relocated electric pole without charging extra amount towards the cost of the increased length of service wire, if any required.

As a sequel to dismissal of the writ petition, W.P.M.P.Nos.10429 of 2012, 22202 of 2014 shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

03rd September, 2015

GHN