

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

WRIT PETITION No.17573 of 2011

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04.06.2015

Between:

Sri Venkateswara Rice Mill,
Tallapudi, West Godavari District

...Petitioner

And

Andhra Pradesh Eastern Power Distribution Company
Limited, Visakhapatnam and others

...Respondents

Counsel for the petitioner: Ms.N.Anula,
for Mr.Mangena Sreerama Rao

Counsel for respondents: Mr.P.Anand Seshu,
learned standing counsel for APEPDCL

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The Court made the following:

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ORDER:

At the interlocutory stage, the writ petition is heard and being disposed of with the consent of the learned counsel for the parties.

The petitioner is an LT consumer. It has filed this writ petition feeling aggrieved by certain demands made by the respondents towards the purported short-fall in payment of consumption charges. This Court, by interim order, dated 24.06.2011, in W.P.M.P.No.21140 of 2011, granted stay of disconnection of supply subject to the petitioner paying 50% of consumption charges in cash and furnishing bank guarantee for the balance 50%.

Having regard to the nature of the 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. As the petitioner already made part-payment in cash and furnished bank guarantee for the remaining part, the respondents shall not disconnect the power supply to the petitioner's service connection for non-payment of the impugned demand till adjudication of the dispute by the *Forum*. 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.24203 of 2011 and W.V.M.P.No.997 of 2013 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

04th June, 2015

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