

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.34002 of 2011

Date:01.07.2015

Between:

Jagirdar Pathan Mahabub Khan,
S/o Late Jagirdar Pathan Razak Khan

..... **Petitioner**

And:

A.P. Southern Power Distribution Company,
Assistant Engineer, Adoni and another.

.....**Respondents**

Counsel for the Petitioner: Sri B.Venkateswar Rao

For Sri M.R.K.Chakravarthy

Counsel for Respondent No.1: None appeared

Counsel for Respondent No.2: Sri V.V.Satish

The Court made the following:

ORDER:

This Writ Petition is filed for a *Mandamus* to declare the action of respondent No.1 in disconnecting the power supply to the petitioner's Service Connection bearing No.0501044609 at Door No.1/541/11-A, Adoni, Kurnool District, as illegal and arbitrary.

On the strength of the interim order, dated 30.12.2011, granted by this Court, power supply was restored to the petitioner's Service Connection. The basis for respondent No.1 to disconnect the power supply was

the complaint of respondent No.2 that the petitioner has encroached upon a public road in a residential colony and constructed a house.

Today, I have disposed of Writ Petition No.32249 of 2011, filed by respondent No.2 along with two others, with a direction to Adoni Municipality to measure the road which is allegedly encroached by the petitioner and take appropriate steps depending upon the result of such measurement. Following the said directions, this Writ Petition is disposed of in the following terms:

- (1) Respondent No.1 shall continue the power supply to the petitioner's Service Connection till Adoni Municipality measures the road in N.G.Os colony and communicates the result to the petitioner;
- (2) If the result of the measurement reveals that the petitioner has encroached upon a public road, respondent No.1 shall issue a show cause notice to the former proposing disconnection of power supply;
- (3) The petitioner is entitled to submit his explanation to the show cause notice and thereafter, respondent No.1 shall be entitled to take action according to law; and
- (4) The petitioner is also entitled to avail appropriate legal remedies if any decision adverse to his interests is taken by respondent No.1.

As a sequel to disposal of the Writ Petition, WPMP.No.42290 of 2011 filed by the petitioner for interim relief is disposed of as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

01st July, 2015

DR