

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

WRIT APPEAL No.556 of 2015

Dt:07.07.2015

Between:

D.Lakshmipathi Reddy.

... Appellant

And

Southern Power Distribution Company Limited,
Andhra Pradesh, Rep by its Chairman & Managing
Director, Tirupathi, Chittoor District and others.

... Respondents

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PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

This writ appeal is directed against the order, dated 11.06.2015, passed in W.P.No.16440 of 2015 filed by the appellant, challenging the demand notice, dated 22.05.2015, issued by the first respondent. Learned Judge dismissed the writ petition with the following observations:

“The petitioner took electricity service connection to the aqua ponds situated at Aruru Village, Chittamur Section of SPSR Nellore District under Category LT3(A). The service connection was inspected on 21.05.2015 by the ADE/DPE-1. Certain incriminating points were noticed and on the basis of which, the 4th respondent issued a notice on 22.05.2015 asking the petitioner to pay an amount of Rs.8,75,989/- pending determination of civil liability under Section 154(5) of the Electricity Act, 2003. Challenging the said notice, the present writ petition is filed.

Since the allegation relates to the theft of energy, the civil liability has to be determined by the Special Court constituted under Section 154 of the Electricity Act 2003. In the circumstances, the respondents shall restore the power supply as and when the petitioner deposits 50% of the amount demanded under the impugned notice, dated 22.05.2015.”

Having regard to the allegations against the appellant and the

nature of his business, we are not inclined to entertain the submission of Mr.B.S.Venkata Ramesh, learned counsel for the appellant that the appellant may be allowed to deposit 25% of the amount demanded, instead of 50%, as directed by learned Judge in the impugned order. We do not find any merit in the writ appeal.

Writ appeal is dismissed.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Dt:07.07.2015
kdl