

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

WRIT PETITION NOs.23383 & 24888 of 2012

DATED:16-07-2015

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W.P.No.23383 of 2012

Between:

Sri Shiva Spinning Mill Pvt. Ltd.,
Rep. by its Director
Ram Prasad Agarwal, s/o Kantilal Agarwal,
Aged about 49 years.

... Petitioner

And

APCPDCL rep. by its Chairman and
Managing Director, Mint compound, Hyd.
and two others.

... Respondents

... Respondents

COUNSEL FOR THE PETITIONER: Mr. M.P.Chandramouli

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

THE COURT MADE THE FOLLOWING:

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COMMON ORDER:

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These two writ petitions raise a common question, namely, the power of the respondents to demand and collect two months consumption deposit even though the petitioners are willing to receive power supply through pre-paid meters 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 these writ petitions, 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 petitioners. Unless the petitioners question this amendment, it is not possible to grant any relief to the petitioners.

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

As a sequel to dismissal of the writ petitions, the interim orders granted by this Court shall stand vacated and all the pending interlocutory applications shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

16-07-2015

v v