

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

-
WRIT PETITION Nos.31639 of 2015

ORDER:

Heard the learned counsel for petitioner and the learned Standing Counsel for respondents 2 to 5.

2. The petitioners are stated to be the registered consumers of the agricultural service connections bearing LTSC No.3418612 and 3418611 at Mallavaram Village, Narsapuram Mandal, West Godavari District. They have converted their agricultural lands into five fish tanks in the year 2010 and applied for the electric service connections in the year 2010 itself. It appears that on 09.09.2015, Electricity Vigilance Officers inspected the service connections of the petitioners and noticed pilferage of energy. The fifth respondent issued a provisional assessment notice on 18.09.2015 asking the petitioner to pay the assessed amount of Rs.37,54,550/- along with supervision charges. Challenging the same, the present writ petition is filed.

3. Since the allegation relates to theft of energy, this Court is not inclined to interfere with the provisional assessment notice, except giving liberty to the petitioners to pay 50% of the demanded amount within four weeks from today, and on receipt of the same, the respondents are directed to restore the service connections of the petitioners and to refer the matter to the Special Court constituted under Section 154 of the Electricity Act, 2003 for determination of the civil liability. The amount paid by the petitioners would be subject to further orders passed by the Special Court.

4. The writ petition is, accordingly, disposed of. No order as to costs. Miscellaneous Petitions, if any pending, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 29.09.2015
TJMR