

**THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

**WRIT PETITION No. 16339 of 2015**

**ORDER:**

Heard learned counsel for the petitioner and learned standing counsel for the respondents.

2. The petitioner is lessee of a cinema theater which was constructed in 1982 in Petasanigandla Town, Karampudi Mandal, Guntur District. It has got a service connection and the monthly charges ranged from Rs.4,000/- to Rs.7,000/-. While so, the petitioner received a bill for Rs.1,01,419/- on 15.05.2015 and he submitted a representation on the same day by paying fee of Rs.300/- and requested the respondents to inspect and test the meter. Instead of replacing the meter, the petitioner was served with a provisional assessment notice dated 26.05.2015 on the ground that there was insertion of some piece of material in the meter and the petitioner indulged in theft of energy. A criminal case for theft of energy was also registered against the petitioner. The petitioner was asked to pay compounding fee of Rs.22,000/- for closure of the criminal case registered against him and the liability with regard to the theft of energy was fixed at Rs.3,06,122/-. Challenging the provisional assessment notice, the present writ petition is filed.

3. In the circumstances, this writ petition is disposed of directing the petitioner to pay an amount of Rs.2,00,000/- on or before 15.07.2015 and the service connection of the petitioner shall not be disconnected. In the meanwhile, it is open to the respondents to replace the meter, if it is found to be defective. The amount paid by the petitioner shall be subject to further orders to be passed under Section 154(6) of the A.P. Electricity Act and the respondents are directed to refer the matter to the Special Court constituted for determination of civil liability, as expeditiously as possible.

4. The Writ Petition is accordingly disposed of. Miscellaneous petitions, if any,

pending in the writ petition shall stand closed. There shall be no order as to costs.

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**(A.RAMALINGESWARA RAO, J)**

10<sup>th</sup> June, 2015

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