

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.5979 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and Sri O. Manohar Reddy, learned counsel for respondents 1 to 6.

2. This Writ Petition is filed questioning the action of respondents in charging the electricity consumption charges for the petitioner's service connection Nos.AZ102334, AZ102335, AZ102336, AZ102337 and AZ102338, more than the prescribed tariffs by the respondents in spite of the orders passed by the Vidyuth Ombudsmen in Appeal No.110/2013 dated 29.05.2014, as illegal, arbitrary, discriminatory and against the provisions of the Electricity Act, 2003 and also violation of Articles 14 and 19 of Constitution of India.

3. According to the petitioner, he purchased house site and after obtaining necessary permissions from the GHMC, he constructed residential house with Ground and 1st floor. After completion of the construction, he made an application to provide three more 1-Ph Domestic Services of each 2 KW and 2 more 3-Ph domestic Services of each 5 KW under a panel board. After giving power supplies with Service Nos.AZ102334, AZ102335, AZ102336, AZ 102337 and AZ102338, he has been utilizing the same by consuming power and the respondents have been issuing electricity bills for the above said connections.

4. The grievance of the petitioner is that the respondents have been charging three times of actual consumption charges without there being any notice or intimation on the ground that he has not produced the Occupancy Certificate as per G.O.Ms.No.86 dated 03.03.2006.

5. Similar issue has been considered in W.P.No.32906 of 2014

dated 05.11.2014 and the learned single Judge of this Court holding that the demand and collection of electricity consumption charges at three times the normal charges from the petitioner cannot be sustained and declared the same as illegal. The learned single Judge directed the respondents to adjust the excess tariff, if any, collected so far, from the petitioner's future C.C. bills.

6. Therefore, the Writ Petition is disposed of with the direction that the reasons and directions contained therein shall form part of this order. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE R. KANTHA RAO

Date: 10.03.2015
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HON'BLE SRI JUSTICE R. KANTHA RAO

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