

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15678 of 2015

Dated : 12.06.2015

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Between:

D. Nirmala W/o.Nageswara Rao,
Aged about 53 yrs, Occu : Housewife,
R/o.H.No.8-2-681/5, Road No.12,
Banjara Hills, Hyderabad.

.. Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Municipal Administration Department,
Secretariat, Hyderabad & 4 others

.. Respondents

This Court made the following :

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ORDER :

The petitioner claims to be the owner of Plot No.119 to an extent of 1000 Square yards, Block- B, Survey No.45, Kavuri Hills, Madhapur, Serlingampally Mandal, Ranga Reddy District. The petitioner applied for water connection for the building and the same was accorded in the year 2013 and water Connection No.CAN.No.617974842 was installed. While so, recently, the petitioner received enhanced water consumption bills which shows three times of the actual tariff fixed by the 1st and 2nd respondents and the said bills were issued since March 2014. Though the petitioner has protested about levying of three times than the amount payable, since water is an essential requirement, the petitioner paid the amount as quantified.

2. Alleging that charging three times tariff than the tariff fixed by the 2nd respondent, Board as illegal, this writ petition is instituted.

3. As seen from the averments in the affidavit filed in support of the writ petition on the demand made by the respondent-Board, the petitioner paid the amount as demanded. Learned counsel for the petitioner submits that the petitioner has protested. But there is nothing on record to show that protest was lodged and admittedly no representation is submitted before the competent authority complaining that far higher amount of tariff is charged on the petitioner contrary to the rate fixed and such action is illegal. Thus, even before a complaint was lodged before the authority and even before a decision is taken by them, this Court cannot go into the validity or otherwise of the decision of the respondent-Board in levying the higher tariff.

4. At this stage, learned counsel for the petitioner submits that the petitioner would make a detailed representation to the General Manager, Madapur Division-XV, Hyderabad Metropolitan Water Supply & Sewerage Board, Madapur, Hyderabad-3rd respondent.

5. Having regard to the above, the writ petition is disposed of directing the petitioner to submit a representation to the 3rd respondent. As and when such representation is submitted by the petitioner, the 3rd respondent shall consider the same and accord personal hearing and pass orders as warranted by law. If the petitioner succeeds in convincing the 3rd respondent, that the petitioner is not liable to pay the higher tariff, appropriate steps should be taken by the 3rd respondent to refund the amount and pass orders within four (4) weeks from the date of submission of representation. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

12th June, 2015

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