

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.29436 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the inaction of respondent Nos.2 and 3 in disposing of the representations of the petitioner, as illegal and arbitrary.

2. Heard Smt. B.Rachna, the learned counsel for the petitioner and Sri R.Vinod Reddy, the learned Standing Counsel appearing for respondent Nos.2 and 3.

3. The petitioner has been running a small brick kiln business in an extent of 1.20 guntas in Survey No.500/vuu and an extent of 2.10 guntas in Survey No.43/Aaa of Suddapally Village, Nizamabad District. After conducting enquiry, on 25.02.2015 the respondents issued a notice alleging that the petitioner committed theft of electricity and directing him to pay an amount of Rs.16,264/-, and the petitioner paid the said amount.

4. The contention of the learned counsel for the petitioner is that the respondents issued a similar type of notice on 28.03.2016 directing the petitioner to pay an amount of Rs.49,533/- without conducting any enquiry. It is the case of the petitioner that he did not commit theft of electricity.

5. A perusal of the record reveals that the petitioner submitted representations to respondent Nos.2 and 3 on 21.04.2016, 08.07.2016 and 10.08.2016 to consider his case. For one reason or other, respondent Nos.2 and 3 have not disposed of the said representations of the petitioner.

6. At the time of arguments, the only relief sought for by the learned counsel for the petitioner is to direct respondent Nos.2 and 3 to dispose of the representations of the petitioner as expeditiously as possible. The learned Standing Counsel for respondent Nos.2 and 3 also consented for the same.

7. In view of the submissions made by the learned counsel for both parties, this Court is not inclined to go into the merits of the main case.

8. Having regard to the facts and circumstances of the case and also the submissions made by the learned counsel for both parties, respondent Nos.2 and 3 are hereby directed to dispose of the representations of the petitioner dated 21.04.2016, 08.07.2016 and 10.08.2016 in the light of the provisions of the A.P. Electricity Act and the Rules made thereunder, as expeditiously as possible, preferably within a period of one (1) month from the date of receipt of a copy of this order. Respondent Nos.2 and 3 are further directed not to take any coercive steps against the petitioner till disposal of the said representations of the petitioner.

9. With the above directions, the Writ Petition is disposed of. No costs.

10. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 01.09.2016

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