

THE HON'BLE SRI JUSTICE S.V. BHATT

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WRIT PETITION No.4663 of 2010
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ORDER:

No representation for petitioners.

2. Petitioners pray for Mandamus declaring the action of respondents 1 to 3 in disconnecting power supply to service connection Nos.006060 and 005127 of the premises No.2/320, Vempalli Road, Yerraguntla Village and Mandal, Kadapa District as illegal, unconstitutional and contrary to the Electricity Act, 2003.

3. On 28.06.2016, this court directed respondents 1 to 3 to file counter affidavit on the actual state of affairs about the connection or disconnection, as the case may be, with respect to service connection Nos.006060 and 005127.

4. The third respondent filed counter affidavit and by way of reply it is stated that the disconnection of power supply to service connection Nos.006060 and 005127 is on account of non-payment of monthly charges by the petitioners. The relevant portion of the counter affidavit reads as follows:

“5. It is submitted that the service connection bearing No.006060 and 005127 was not disconnected, Land dispute between petitioners and respondent 6 to 7 before the 2nd Additional District Judge, Proddatur bearing O.S.No.7 of 2010. Further it is submitted that the petitioners are approached before this Hon'ble Court, this Hon'ble Court passed the interim orders dated 26.02.2010 in WP.No.4663 of 2010 as extracted below:

“Respondents 1 to 3 shall forthwith restore the power supply to the petitioners”.

6. It is humbly submitted that as per the records the petitioner House service connections are not disconnected and they have made payment consumption charges bearing No.006060 and 005127 regularly up to 12/2010, afterward the minimum amount demand charges raised for every month and cumulated for an amount of

Rs.1515.63 and Rs.1530.27 up to 10/2012, to be due for payment to APSPDCL. Further it is submitted that due to non-payment of consumption charges, the service connections are removed during 10/2012.

7. It is submitted that at present physical verification in the filed, there is no dwelling house in this said land. Further it is submitted that there is land dispute between petitioners and respondent No.6 to 7, the house service connection was disconnected during 2/2012 due to non-payment of consumption charges.”

5. From the above, it is clear that the reasons perceived by the petitioners are not the reasons for disconnection of power supply and once there are arrears to be paid by the petitioners, no exception to the disconnection of power supply can be taken. It is open to the petitioners to work out remedies for restoration of power supply, after complying with the conditions imposed by respondents. This Court is not advertent to *inter se* disputes between the petitioners and respondents 5 to 7. All issues on these disputes are left open.

The writ petition is closed. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

S.V. BHATT, J

July 8, 2016
DSK