

HON' BLE SRI JUSTICE G. SHYAM PRASAD

W.P. No. 38409 of 2013

DATE: 11.11.2016

Between:

M/ s. Venkatesha Ceramics

.. Petitioner

And

The A.P. Northern Power Distribution
Company Ltd.
and five others

.. Respondents



ORDER:-

This writ petition is filed for the following substantive relief:

“..to issue a writ of mandamus declaring the action of the 3rd respondent in issuing notice of Termination of Agreement vide Lr.No.DEE/ OP/ SKZR/ AE(Tech)/ D.No.368/ 13, dated 07.12.2013, as illegal and arbitrary and to issue consequential direction to the respondents forthwith to restore power supply to the petitioner’s Unit.”

Sri K.Srinivasa Rao, learned counsel for the petitioner, has submitted that this Court, by order dated 27.12.2013, while admitting the writ petition, passed the following interim order in W.P.M.P.No. 47741 of 2013:

“Subject to payment of 50% of the demanded amount of Rs.13,19,623/- within a period of six weeks from today, the request of the petitioner for reconnection be considered.

The petitioner, however, shall continue to clear the monthly bills before 14th of the succeeding month without any default and if any default is committed in that regard, the respondents are at liberty to disconnect the power.

Notice.”

The learned counsel has further submitted that he is not aware as to whether the aforementioned interim order has been complied with by the petitioner or not, however the petitioner is negotiating with the respondents for settlement of payment of the demanded amount, and pleaded that the respondents may be directed to consider the petitioner’s request.

Since a plea is taken by the petitioner that his request for settlement of the matter may be considered by the respondents and as negotiations with the respondents in respect of payment of demanded amount are going on, this Court, in view of the changed circumstances, without expressing any opinion of the merits of the matter, is inclined to dispose of the writ petition with the following direction:

“The respondents are directed to consider the request of the petitioner in settling the matter by way of negotiations for payment of electricity bill in accordance with law.”

With the above direction, this writ petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

11.11.2016

bcj

G. SHYAM PRASAD, J