

**HON'BLE SRI JUSTICE T.SUNIL CHOWDARY**

**WRIT PETITION No.23037 of 2016**

**ORDER:**

This writ petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus declaring the action of the respondents in not considering the representations of the petitioner dated 06.07.2016 and 11.07.2016 requesting for grant of instalments for payment of Additional Consumption Deposit of Rs.1,56,95,411/- as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and Sri R.Vinod Reddy, learned standing counsel for respondents TSSPDCL.

3. The case of the petitioner is that the petitioner is a company incorporated under the provisions of the Companies Act, 1956 having its registered office at Panjagutta, Hyderabad and engaged in the business of manufacture of MS INGOTS & TMT BARS. The petitioner company has been availing the power supply from the respondents under HT Category.1. As per A.P.Electricity Regulatory Commission (Security Deposit) Regulation 2004, the HT consumers have to provide Security Deposit equivalent to two months consumption charges. On 01.07.2016 the second respondent issued Letter No.SE/O/SAO/JAO/HT/ACD/D.No.641/16 stating that the average consumption charges equivalent to two months works out to Rs.3,74,70,138-42 ps, as against which, an amount of Rs.2,17,74,727/- is available with them, therefore, the petitioner is directed to pay the balance amount of Rs.1,56,95,411/- within thirty days from the date of the said Letter. Thereupon, the petitioner company submitted a representation to the second respondent on 06.07.2016 requesting

them to grant ten equal installments to pay the ACD amount. The petitioner also submitted second representation on 11.07.2016 requesting the fourth respondent to grant ten equal installments for payment of the ACD amount or permit the petitioner to furnish bank guarantee for the same. For one reason or the other, the respondents have not disposed of the representations of the petitioner. Hence, the present writ petition.

4. On 25.07.2016 this Court directed the petitioner to deposit an amount of Rs.40,00,000/-. Learned counsel for the petitioner submitted that the petitioner had complied with the orders of this Court.

5. At the time of arguments, learned counsel for the petitioner submitted that the respondents may be directed to consider the representations of the petitioner dated 06.07.2016 and 11.07.2016. Learned standing counsel for the respondents also consented for the same.

6. Having regard to the facts and circumstances of the case and also the submissions made by the learned counsel for both parties, the respondents are hereby directed to dispose of the representations of the petitioner dated 06.07.2016 and 11.07.2016 as expeditiously as possible, preferably, within a period of one month from the date of receipt of copy of this order. Meanwhile, respondents are hereby directed not to take any coercive steps against the petitioner.

7. With the above direction, the writ petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

**August 17, 2016.**  
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**T.SUNIL CHOWDARY, J**