

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.29952 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 the respondents in disposing of the representation of the petitioner dated 14.09.2015, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and Sri M.Ravindra, the learned Standing Counsel for APEPDCL appearing for the respondents.

3. The petitioner claims that she is the owner of an extent of Ac.7.08 cents in T.S.Nos.28/2 and 28/3 of Kommadi Village, Visakhapatnam District. It is the case of the petitioner that some third parties obtained service connection by suppressing the material facts. The grievance of the petitioner is that the respondents erected electrical poles in her land. A perusal of the record reveals that the petitioner submitted a representation to respondent Nos.2 to 4 on 14.09.2015 to take appropriate action. For one reason or other, respondent Nos.2 to 4 have not disposed of the said representation.

4. At the time of arguments, the only relief sought for by the learned counsel for the petitioner is to direct respondent Nos.2 to 4 to dispose of the representation of the petitioner dated 14.09.2015. The learned Standing Counsel also consented for the same.

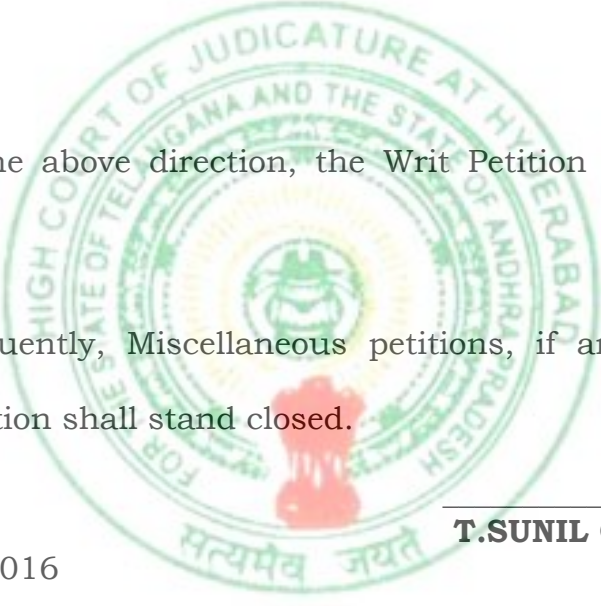
5. In view of the submissions made by the learned counsel for both parties, this Court is not inclined to express any opinion touching the merits of the main case.

6. 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 to 4 are hereby directed to dispose of the representation of the petitioner dated 14.09.2015 in the light of the provisions of the Electricity Act, 2003 and the Rules made thereunder as well as the Indian Telegraph Act, 1885, after affording a reasonable opportunity to the petitioner as well as the third parties, as expeditiously as possible, preferably within a period of four (4) weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs.

8. Consequently, Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

Date: 20.09.2016
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**T.SUNIL CHOWDARY, J**