HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.30324 of 2016

ORDER:

This writ petition is filed seeking writ of *Mandamus*, declaring the action of the 2nd respondent in straightaway terminating the supply of electricity for Service No.RRS-1142 of 360 KV , vide impugned order dated 01.09.2016, as illegal.

2. Heard Sri B.V.V.S.Murthy, learned counsel for the petitioner and Sri R.Vinod Reddy, learned standing counsel, representing respondents 1 to 3.

3. A perusal of the record reveals that the petitioner has been carrying on stone crushing business at Rachaloor Village, Kandakur Mandal, Ranga Reddy District, after obtaining necessary permissions from the concerned departments. While so, on 01.09.2016, the 2nd respondent issued impugned notice directing the petitioner to pay an amount of Rs.14,54,764/- towards arrears of consumption charges. The contention of the learned counsel for the petitioner is that the 2nd respondent has straightaway issued impugned notice without giving any opportunity to submit his explanation and without properly verifying the meter reading.

4. A perusal of the record further reveals that on 04.09.2016, the petitioner submitted representation to the 2nd respondent with a request to grant installments to pay the amount due.

5. At the time of arguments, the only relief sought by the petitioner is to direct the 2nd respondent to dispose of his representation and in the meanwhile not to take any further coercive steps. Learned

standing counsel also consented for the disposal of the representation of the petitioner.

6. In view of the submissions made by both the counsel, this court is not inclined to consider the validity or otherwise of the impugned notice dated 01.09.2016 issued by the 2nd respondent.

7. Having regard to the facts and circumstances and submissions made by both the counsel, the 2nd respondent is hereby directed to consider and dispose of the representation of the petitioner dated 04.09.2016, in the light of the provisions of the Indian Electricity Act, 2003 and the relevant Rules there under, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. Meanwhile, the 2nd respondent is hereby directed not to take any coercive steps, till the disposal of the representation of the petitioner.

8. The writ petition is, accordingly, disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

T. SUNIL CHOWDARY, J

Date: 08.09.2016.

Note: Furnish CC in one week.
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HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

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WRIT PETITION No.30324 of 2016

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
सत्यमेव जयते

Date: 08.09.2016

BSS