

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.31319 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 respondent in disconnecting the power supply to the petitioner's premises as being illegal and arbitrary.

2. Heard the learned counsel for the petitioner and Sri M.Pavindra, the learned standing counsel for A.P.E.P.D.C.L., representing the respondents 1 to 4.

3. It is the case of the petitioner that the respondents 5 and 6 let out the house bearing Dr.No.2-1-24, Ground Floor, Sri Mathaji Commercial Complex, Juvvalapalem Road, Bhimavaram Town and Mandal, West Godavari District, in favour of the petitioner on 30.06.2007. Subsequently, respondents 5 and 6 have filed O.S.No.315 of 2015 and 316 of 2015 on the file of the Court of Senior Civil Judge, Bhimavaram, Krishna District, against the petitioner for eviction. It seems while pending the suits, the respondents 3 and 4 disconnected the power supply without issuing any notice to the petitioner. A perusal of the record reveals that the petitioner submitted a representation to the respondents 2 to 4 on 10.06.2016. For one reason or other, the respondents 2 to 4 have not disposed of the representation of the petitioner. The contention of the petitioner is that the respondents have no right whatsoever to disconnect the power supply.

4. The learned standing counsel submitted that the respondents will consider the representation of the petitioner within a reasonable time.

5. In view of the submissions made by both the counsel, 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 both counsel, respondents 3 and 4 are hereby directed to dispose of the representation of the petitioner dated 10.06.2016 in the light of the provisions of the Indian Electricity Act, 2003 and the rules made there under, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

16.09.2016
Pns

T.SUNIL CHOWDARY, J