

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.7755 OF 2016

ORDER:

The Writ Petition is filed seeking a Writ of Mandamus declaring the action of the respondents in disconnecting the petitioner's power supply on 15.02.2016 and issuance of notice by the third respondent in letter dated 29.10.2015, as illegal and arbitrary.

The provisional assessment order has been challenged in this Writ Petition.

When the matter is taken up, learned Standing Counsel has placed on record the final order passed on 25.02.2016 confirming the demand, which has been raised on account of meter defect.

Learned counsel for the petitioner submits that as against this order, though respondents stated that appeal lies to the Assistant Divisional Engineer, Operation, the Southern Power Distribution Company, the consumer has option of approaching the Consumer Grievance Redressal Cell. The petitioner seeks liberty to approach the Consumer Grievance Redressal Cell. However, he submits that for the petitioner, being an industrial unit, disconnection of power supply is causing day-to-day loss.

Having considered the rival submissions and considering the fact that the final order is passed by the Divisional Engineer, Vikarabad by the second respondent wherein it has been indicated that on paying Rs.58,241/-, petitioner has option of approaching the appellate authority, Superintendent Engineer. Liberty is given to the petitioner to challenge the final assessment order dated 25.02.2016 before the appropriate appellate authority. However, considering the fact that the power supply was disconnected to the petitioner's unit on 15.02.2016, the petitioner shall deposit a sum of Rs.30,000/- (Rupees thirty thousand only). On such deposit being made, power supply to the petitioner's unit shall be restored. The payment of Rs.30,000/- shall be subject to final orders that may be passed by the appellate

authority in terms of the regulations.

The Writ Petition is disposed of, accordingly. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(CHALLA KODANDA RAM, J)

15th March 2016
RRB