

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.4522 of 2009

ORDER :

No representation for petitioner. Heard Mr.R.Vinod Reddy for 1st respondent.

The petitioner prays for the following relief :

“to issue a direction, orders or a Writ; more appropriately one in the nature of a WRIT OF MANDAMUS directing/declaring the action of the respondents herein:

“Declare the action of 1st Respondent herein in granting Power Connection [Service No.A-26342] at premises H No 288/5 Hanuman Temple, Trimulgherry Opposite RTA Office, Secunderabad [AP] in the name of Respondent No.2 without specific consent of Petitioner herein and not dismantling the said Power Connection [Service No.A-26342] at petitioner's requisition dated 07.02.2009 as being contrary to specific provisions of Electricity Power Supply Rules, and therefore ULTRA VIRES”.

The 1st respondent filed counter affidavit. The gist of the counter affidavit is that the service connection against which a complaint is made in the instant writ petition, is standing in the name of petitioner from 2000 onwards. Further, the petitioner did not produce any document in assertion of his entitlement or to consider the illegality in issuing connection to 2nd respondent. It is further stated that if at all any dispute subsists between the petitioner

and 2nd respondent, the same is a civil dispute and the writ prayer is misconceived.

I have taken note of the above circumstances and am of the view that the writ prayer is misconceived and unavailable to petitioner and accordingly the writ petition is dismissed. The dismissal of the writ petition, it is made clear, shall not be treated as expressing any view by this Court on the grievance of petitioner or entitlement of 2nd respondent vis-à-vis service connection No.A-26342. The petitioner is given liberty to move the competent Court for comprehensive reliefs. No order as to costs.

As a sequel, pending miscellaneous applications, if any, shall stand closed.

S.V. BHATT, J

26th April 2016

ajr