

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.9523 of 2016

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Between:

T. Venkatnagendera Rao

PETITIONER

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary for Energy Department, Secretariat A.P., Hyderabad, and others.

RESPONDENTS

ORDER:

The case of the petitioner is that the petitioner had electricity service connection No.282 provided to the bore well already dug in S.No.64 of Singagudem village, Lingapalam Mandal, West Godavari District. He also dug a new bore well in R.S.No.213/6 of the same village. He made a representation dated 3.02.2016 to the respondents to shift the existing service connection to the newly dug bore well in R.S.No.213/6. The grievance of the petitioner is that in spite of his repeated requests the respondent authorities are not transferring the existing service connection No.282 to the newly dug bore well in R.S.No.213/6. Hence the present writ petition is filed.

The writ petition is resisted by the learned Standing Counsel appearing for respondent Nos.2 to 5 on the ground that there is no such provision in the relevant Rules, and General Terms and Conditions of Power Supply does not provide for shifting of service connection from one area to another area even with regard to the same consumer. Learned Standing Counsel would also submit that sanction of service connection at a different place would be again subject to various circumstances and in that view of the matter it is impermissible.

Having considered the rival submissions and having perused the General Terms and Conditions of Power Supply, the contention of the learned counsel for DISCOM is sustainable. However, there is a right in the petitioner to seek for a new service connection for R.S.No.213/6, and there is equal duty on the respondents to provide electricity supply subject to system constraints. In that view of the matter, liberty is given to the petitioner to make a fresh application seeking new service connection to the bore well dug in R.S.No.213/6 situated at Singagudem village, Lingapalam Mandal, West Godavari District, and as and when such an application is made, the same shall

be disposed of by the respondents in accordance with the General Terms and Conditions of Power Supply, within a period of four weeks from the date of receipt of a copy of such application.

With the above direction, the writ petition is disposed of. As a sequel, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

CHALLA KODANDA RAM, J.

23rd March, 2016
Js.