

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.18191 OF 2016

ORDER:

The grievance of the petitioner in this writ petition is limited to the extent that the petitioner being no longer interested to have the electricity service connection bearing HMC No.732 situated at his premises at D.No.3-46 in R.S.No.204/1 of Yanamaduru Village, Bheemavaram Mandal of West Godavari District. However, the respondents are not considering his request for disconnection of connection *in spite* of representations.

It is stated by the petitioner that he purchased the said property from one Kanaka Durga through registered sale deed bearing document No.4192 of 2013 dated 23.10.2013 and his vendor i.e. Kanaka Durga purchased the same from one Periyaswamy Annadoari through registered sale document No.3473 of 2013 on 15.06.2013. It is his submission that he made an application on 20.09.2013, 03.03.2014, 09.09.2015 and once again on 30.03.2016. However, no action is taken.

The learned standing counsel Sri A.Ravindra appearing for respondent-Corporation submits that the connection to the said premises, in fact, is in the name of one Kondal Rao.

Learned counsel for the petitioner submits that the said Kondal Rao was a tenant in the said premises and he already vacated the premises and he cannot have any objection. He further submits that as the place is in dilapidated condition, the petitioner intends to re-develop the property.

In the facts of the present case, it is not necessary for this Court to express any opinion with respect to merits of case either of the

petitioner or the respondents and suffice it to say that the owner of the property is entitled to seek disconnection of the connection as the relationship between said Kondal Rao-the then tenant, on whose name the service connection was provided, and owner of the property is only contractual. In that view of the matter, the service connection bearing No.HMC NO.732, if there are no objections otherwise, is liable to be ordered to be disconnected. Therefore, the respondents shall consider the application made by the petitioners and take necessary action within a period of two weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

Justice Challa Kodanda Ram

9th June, 2016.

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