

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.28019 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 second respondent in issuing series of power disconnection notices, without considering the replies submitted by the petitioner, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and Sri R.Vinod Reddy, learned Standing Counsel for respondent Nos.2 and 3—TSSPDCL.

3. In the writ affidavit, the petitioner stated that his mother by name K.Narsamma is absolute owner of residential house bearing No.2-2-880 covered by an extent of 140 Sq.yards situated at Burju Galli, Bagh Amberpet, Hyderabad. The fourth respondent is sister of the petitioner. During her life time, his mother bequeathed east side portion of the house, which is having electric service connection No.UZ009872, to fourth respondent. The fourth respondent has obtained three service connections from the respondents. The petitioner was given west side portion of the house for which the petitioner obtained LT service connection No.V3104197.

4. While the matter stood thus, the second respondent has issued three notices dated 21.12.2015, 22.2.2016 and 06.7.2016 calling for the petitioner to produce valid ownership documents failing which the service connection will be disconnected. It is the case of the petitioner that he has issued befitting replies dated 23.12.2015, 22.3.2016 and 03.8.2016 to the above notices. The grievance of the petitioner is that the second respondent, without passing any order on the notices and reply notices, has been attempting to disconnect the service connection of the petitioner.

5. At the time of the arguments, the only relief sought by the learned counsel for the petitioner is to direct the second respondent to pass orders on the notices. The learned Standing Counsel also consented for the same.

6. Having regard to the facts and circumstances of the case and in view of the submissions made by learned counsel for both the parties, the second respondent is hereby directed to pass appropriate orders on the notices, while considering the respective reply notices issued by the petitioner. This exercise may be completed within a period of two months from the date of receipt of a copy of this order. Till such time, the respondents shall not take any coercive steps to disconnect the service connection of the petitioner.

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

(T.SUNIL CHOWDARY, J)

August 23, 2016.

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