

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

WRIT PETITION No.30359 of 2016

ORDER:

This writ petition is filed seeking writ of *Mandamus*, declaring the impugned letter dated 26.08.2016 of the 4th respondent, as illegal and arbitrary.

2. Heard Sri G.Kiran Kumar, learned counsel for the petitioner, learned Government Pleader for Revenue, representing the 1st respondent, Sri V.Satyam Reddy, learned standing counsel, representing the 2nd respondent and Sri R.Vinod Reddy, learned standing counsel, representing respondents 3 and 4.

3. It is the case of the petitioner that he is the owner of house bearing D.No.28-1-119/ 11 situated at Chemical Area, Bellampally. It is his further case that the Tahsildar, Bellampally Mandal, issued certificate vide Roc.No.A1/ 68/ 2016 dated 20.04.2016 stating that the above said house is standing in the name of the petitioner. A perusal of the record reveals that the petitioner has been paying the house tax to the 2nd respondent-Municipality in respect of the said house. On the application of the petitioner, respondents 3 and 4 provided electricity service connection bearing S.C. No.11011-CAT-I, Bellampally to the house of the petitioner. While so, on 26.08.2016, the 4th respondent issued impugned show cause notice calling for the explanation of the petitioner within seven days. A perusal of the record further reveals that the petitioner submitted his explanation on 30.08.2016. The respondents are the competent persons to decide the issue involved in this writ petition.

4. At the time of arguments, the only relief sought for by the petitioner is to direct respondents 3 and 4 not to disconnect the power supply to the house of the petitioner, till the disposal of his representation. Learned standing counsel for respondents 3 and 4 also consented for the same. In view of the submissions made by both the counsel, this court is not inclined to go into the merits of the case.

5. Having regard to the facts and circumstances and also submissions made by both the counsel, the 3rd respondent is hereby directed to consider and dispose of the representation of the petitioner dated 30.08.2016, in the light of the provisions of the Indian Electricity Act, 2003 and the relevant Rules made there under, as expeditiously as possible, preferably, within a period of one month from the date of receipt of a copy of this order. Meanwhile, respondents 3 and 4 are directed not to disconnect the power supply to the house of the petitioner bearing D.No.28-1-119/11, situated at Chemical area, Bellampally.

6. The writ petition is, accordingly, disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

T. SUNIL CHOWDARY, J

Date: 08.09.2016.
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11

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