

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.12275 OF 2013

ORDER:

The present Writ Petition came to be filed under Article 226 of the Constitution of India seeking issuance of a writ of *mandamus* declaring the action of the respondents in disconnecting power supply to the premises of petitioner with service connection No.6222343000244 under Category.III, as illegal and arbitrary and consequently to direct the respondents to forthwith restore power supply to the above service connection of the petitioner.

2. The averments in the affidavit filed in support of the writ petition would show that the petitioner has electricity service connection No. 6222343000244 under Category.III with capacity of 9 HP and has been paying the bills without any interruption. The said connection was used for the providing water to prawn culture tanks. It is further stated that without giving any prior notice or intimation, the respondent officials disconnected the power supply. When the petitioner questioned as to why the power supply was disconnected, it was stated that in respect of a connection held in the name of one Ch.Punnaiah, who is an adjacent cultivator, substantial amounts are due to the department. It is said that in spite of making repeated requests, the respondent authorities failed to restore the power supply. Aggrieved by the same, the petitioner approached the District Legal Services Authority, Krishna District at Machilipatnam, wherein the case filed by the petitioner was disposed

of by docket order dated 02.04.2013 by recording that in spite of efforts made by Bench, the matter was not compromised. Challenging the action of the respondents in restoring the power supply, the present writ petition is filed.

3. Learned counsel for the petitioner submits that the petitioner has nothing to do with the payment of arrears by his adjacent owner and only with a view to put pressure, the power supply to the service connection of the petitioner was disconnected though the petitioner has been paying all the bills regularly.

4. By an order dated 29.04.2013 this Court ordered interim direction as prayed for. Pursuant to which, the power supply to the service connection held by the petitioner was restored. In view of the fact that the power supply was restored pursuant to the order passed by this Court, learned Standing Counsel for the respondents would submit that nothing survives for adjudication in the writ petition.

5. Since no orders were passed while disconnecting the power supply and no proceedings are initiated with regard to payment of arrears, if any, nothing survives for adjudication in this writ petition.

6. In view of the interim order passed by this Court, the present Writ Petition is closed making the interim order as a final order. However, the respondents are at liberty to initiate any proceedings and proceed in accordance with law, if there is any violation of law

by the writ petitioner. Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:23.09.2016
INL

