

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.30210 of 2012

ORDER:

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H e a r d Mr.Ch.C.Krishna Reddy for petitioner and no representation for respondents 1 to 4.

The petitioner prays for Mandamus declaring disconnection of power supply for service connections USC Nos.3221201011282, 3221201011283 and 3221201011284 belonging to petitioner for the house with assessment No.1187, P.R.R.Colony, Main Road, Kovur, S.P.S.R. Nellore District, as arbitrary and contrary to section 56 of the Electricity Act and directs restoration of power supply to service connections referred to above.

On 10-10-2012, the following interim direction was passed:-

“Pending further orders, the respondents are directed to restore electricity supply to the petitioner’s service connections bearing USC.Nos.3221201011282, 3221201011283 and 3221201011284 (assessment No.1187) at P.R.R.Colony, Main Road, Kovur, SPSR Nellore District, subject to the petitioner paying all the arrears of CC charges if any due.”

The respondents filed W.V.M.P.No.3953 of 2013 to vacate the interim order dated 10-10-2012.

The counter of respondent No.3 does not refer to issuance of notice or opportunity of hearing to petitioner before disconnecting power supply to the subject service connections. The respondents tried to justify disconnection by alleging that no objection certificate was obtained for Assessment No.4923 and the physical connection of subject service connections are at Assessment No.1187 at Pellakuru Ramachandra Reddy Colony, Kovur Town. According to respondents, the petitioner played fraud and suppressed actual and correct facts.

Therefore, the disconnection is justified. It is further stated that on 22-10-2012 the respondents have restored power supply to subject connections and as on date the power is supplied.

Having regard to the fact that the power was restored on 22-10-2012 and there appears to be some fact which is required to be enquired by respondents and appropriate orders on continuation or disconnection of power is required, I am satisfied that the writ petition can be disposed of by this order.

- “a) The petitioner is given four weeks time from today to submit representation to 3rd respondent.
- b) The 3rd respondent on receipt of such representation enquires into the request of the petitioner for grant of power and passes appropriate orders in accordance with law.
- c) The said exercise shall be completed within two months from today.
- d) The status-quo as on date is directed to be maintained till the order is passed and communicated to petitioner.”

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

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

S. V. BHATT, J

Dt: 02-06-2016
Prv

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