

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.32887 of 2017

ORDER:

The petitioners are having a service connection bearing SC No.311301359. While so it was inspected on 04.07.2017 by the AE SD-II, DPE, RR South, and it was found that the petitioners were dishonestly abstracting/consuming/using electricity. Accordingly, theft of energy case was booked under Section 135 of the Electricity Act, 2003. A provisional assessment of electrical charges was made and pending determination of civil liability, the petitioner was asked to make payment of 50% of the assessed amount i.e., Rs.2,34,554.00 and supervision charges of Rs.100/- along with reconnection charges of Rs.75/- for restoration of supply and to pay the balance 50% amount in two installments. Challenging the same, the present Writ Petition is filed.

In the circumstances and in view of insisting for payment of 50% of the assessed amount, this Court feels that the case of the petitioners shall be referred for determination of civil liability, on condition of the petitioners paying 1/4th (one fourth) of the provisionally assessed amount to the respondents, within a period of thirty (30) days. On such payment, the electricity service connection shall be restored to the petitioners and the case of the petitioners shall be referred to the Special Court for determination of civil liability.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

03.10.2017
vs

(A.RAMALINGESWARA RAO, J)

