

THE HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION Nos.22908, 22918, 22919, 23293 and 23649 of
2017

COMMON ORDER :

The grievance of the petitioners in the respective writ petitions is that the Southern Power Distribution Company of Telangana Limited (TSSPDCL) is not releasing the power supply to their respective buildings on the ground of not producing occupancy certificate.

Heard before admission of the writ petitions the learned counsel for the petitioners respectively and Sri R.Vinod Reddy, learned Standing Counsel for TSSPDCL and also the learned Standing Counsel appeared, no doubt before vakalat and counter and perused the material on record and also the orders passed in similar matters by this Court (other bench).

In the affidavits filed in support of the writ petitions, it is mainly stated that non-release of the electrical consumption/ service connection for the so called non-submission of the occupancy certificate is unjust and unconstitutional, despite the petitioners are willing to give undertakings that in the event of rejection of occupancy certificate, power supply can be unconditionally withdrawn.

In similar circumstances, this Court, on 13.02.2017 and 07.03.2017, while admitting the writ petitions passed interim orders in W.P.MP.No.3057 of 2017 in W.P.No.2608 of 2017 and

W.P.M.P.No.11908 of 2017 in W.P.No.9622 of 2017, directing the respondents to release the power supply to the buildings of the petitioners therein, subject to compliance of the statutory requirements by the petitioners therein and in the event of refusal of grant of occupancy certificate by the Municipal Authorities, it is open to the respondents to withdraw the power supply.

As the above interim orders itself cover the main relief of all these writ petitions, these Writ Petitions can be and accordingly disposed of with direction to the TSSPDCL Authorities to obtain undertaking affidavits and then conditionally release the power supply to the buildings of the petitioners, which is no doubt subject to compliance of all other statutory requirements by the petitioners and with the condition that in the event of refusal of grant of occupancy certificate by the concerned local Authorities viz. Panchayat or Municipality or Municipal Corporation or other Authorities as the case may be within a prescribed period, the respondents withdraw the power supply, without any need of even prior notice for such withdrawal being the conditional one.

Consequently, miscellaneous petitions, if any, pending shall stand closed.

Dr. B.SIVA SANKARA RAO J,

Date:18.07.2017.
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