

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.21253 OF 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents 2 to 5 in disconnecting power supply to the petitioner fish tanks vide Service USC No.4522409001007, situated at K.Bitragunta Panchayat and Village, Jarugumalli Mandal, Prakasam District, by demanding an amount of Rs.1,93,154/- is illegal, arbitrary and without following due process of law and without issuing any notice and without obtaining any explanation is illegal, arbitrary, highhanded and violation of principles of natural justice and also violation of Articles 14, 19, 21 and 300-A of Constitution of India and consequently direct the respondents to restore the power supply to the petitioner fish tanks bearing Service No.4522409001007 immediately forthwith in the interest of justice and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

2. Heard the learned counsel for the petitioner and perused the prayer in the writ petition with supporting affidavit and the other material on record; and also heard the learned Government Pleader for Energy representing for the 1st respondent and Smt.J.Koteswari Devi, learned standing counsel, representing for the respondents 2 to 5 and 6th respondent is no way necessary party.

3. Undisputedly, there is an appeal remedy against the said billing if at all there is a factual dispute to consider on the alleged amount to pay Rs.1,93,154/-.

4. Having regard to the above, while directing the petitioner to deposit half of the bill amount within four weeks from today and on such deposit or payment, to restore the power supply by collecting the additional usual charges also, this writ petition is disposed of, permitting the petitioner to maintain an appeal, within seven days from the date of receipt of a copy of this order and the respondents shall entertain the appeal without insisting for any period of limitation and decide on merits for recovery of the remaining amount.

6. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

30.06.2017

DR.B.SIVA SANKARA RAO, J

*Note: issue C.C. by 03.07.2017.
B/o.SS*