

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

W.P.No.10375 of 2007

ORDER

This writ petition is filed with the following prayer:

“to issue appropriate writ, order or direction more in the nature of writ of mandamus declaring the action of the 4th respondent in issuing the impugned letter No.AE/OP/Kalwakurthy/F.D.No.47, dated 25.04.2007 which was received by the petitioner institution on 05.05.2007 and the provisional assessment notice proceedings No.ADE/LEC/KWE D.No.270 dated 18.07.2006 and proceedings No.ADE/LEC/KWE D.No.271 dated 18.07.2006 issued by 3rd respondent as illegal, arbitrary and unconstitutional and contrary to the provisions of the Electricity Act, 2003 and consequently direct the respondents not to disconnect the electricity service connections bearing Nos.4079 and 3790 at Kalwakurthy, Mahabubnagar District and pass such other order or orders”.

2. The petitioner College is a charitable educational institution and it obtained electricity service connections bearing Nos.4079 and 3790. The 3rd respondent issued provisional assessment notice (Pilferage) dated 18.07.2006 treating the said service connections as category No.II instead of category No.VII and demanding payment of amount of Rs.6,46,382/- and Rs.24,905/- and consequently, the 4th respondent issued a letter dated 25.04.2007 directing the petitioner to pay the said amount within one month from the date of receipt, failing which both the services connections will be disconnected.

3. This Court, by order dated 16.05.2007, directed the respondents not to disconnect the electricity service connections bearing Nos.4079 and 3790 at Kalwakurthy, Mahabubnagar District,

subject to condition that the petitioner continues to pay the current consumption charges every month.

4. Learned counsel for petitioner submitted that as against the impugned orders, the petitioner preferred appeal before the second respondent-Superintendent Engineer and the same is pending. He prays that there may be a direction to the second respondent to dispose of the appeal within a time frame.

5. Since the appeal filed by petitioner against the impugned orders is pending consideration before the second respondent, I deem it appropriate to direct the second respondent-Superintendent Engineer to dispose of the appeal in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Till such time, the petitioner shall continue to pay the current consumption charges every month.

6. With the above direction, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

M.S.K. JAISWAL, J

19th September, 2017

sj