

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.9607 of 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner to declare the action of the respondents 3 and 4 in not accepting the petitioner's request for compounding the offences in C.C.No.49 of 2015 on the file of the Court of the learned I Additional District and Sessions Judge, Nellore, as illegal and arbitrary.

2. I have heard the submissions of Smt. K. Pallavi, learned counsel for the petitioner and of Smt. Jagarlamudi Koteswari Devi, learned Standing Counsel for APSPDCL representing the respondents 1 to 3. I have perused the material record.

3. At the hearing, the learned counsel for both the sides conceded that the issue involved in this writ petition is squarely covered by the order, dated 16.10.2014, passed by this Court in W.P.No.30982 of 2014 wherein, this Court has taken a view that the consumer has a right to seek compounding of offences, which are unconcerned with the civil liability.

4. Following the said order, dated 16.10.2014, of this Court passed in W.P.No.30982 of 2014, this writ petition is disposed of directing the 3rd and the 4th respondents to accept the request of the petitioner for compounding of the offences covered by C.C.No.49 of 2015 on the file of the Court of the learned I Additional District and Sessions Judge, Nellore,

without insisting upon proof of payment of any part of the provisional assessment amount.

There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this writ petition shall stand closed.

17th March, 2017
Bvv

M. Seetharama Murti, J

