

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No. 25587 OF 2005

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed impugning the action of the respondents in disconnecting the power supply to the petitioner's Rice Mill *vide* Service No.252, on 15.11.2005, without giving any notice as illegal, arbitrary; and, a consequential direction is sought to restore the power supply to the Rice Mill of the petitioner.

2. I have heard the submissions of Sri *K.Suresh Reddy*, learned counsel for the petitioner, and of Sri *N.Siva Reddy*, learned Standing Counsel appearing for A.P.Transco.

3. I have perused the material record.

4. On 01.12.2005, this Court, while admitting the writ petition, granted the following interim order in WP MP No.32912 of 2005:

“The respondents are directed to restore power supply to the petitioner's Rice Mill subject to condition that the petitioner deposits the sum of Rs.10,000/- and also continues to deposit the regular energy charges in respect of Service No.252.”

5. Learned counsel for the petitioner would submit that the dispute is about non-installation of capacitor and collection of charges; that the appeal preferred by the writ petitioner to the Superintendent Engineer, Assessments, Tiurpati, was dismissed by proceedings dated 28.02.2001; that a further appeal preferred before the fifth respondent

is pending; that the writ petitioner is duly complying with the interim orders of this court; therefore, the writ petition may be disposed of giving direction to the fifth respondent to dispose of the appeal, which is pending.

6. Learned Standing Counsel appearing for the respondents, while not disputing the submissions of the learned counsel for the petitioner, confirms that the appeal preferred by the writ petitioner before the fifth respondent is pending.

7. Having regard to the above submissions, the Writ Petition is disposed of, directing the fifth respondent to dispose of the appeal preferred by the writ petitioner, as expeditiously as possible, however in strict accordance with the procedure established by law.

As a sequel, miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

JUSTICE M. SEETHARAMA MURTI

January 25, 2017
LMV