

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.7533 OF 2017

ORDER:

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

“to issue an appropriate Order, Writ, or Direction more particularly one in the nature of Writ of Mandamus under Article 226 of Constitution of India (1) by declaring that the action of the respondents by not according approval for open access supply of electricity to petitioners company from Tata Power Company Ltd through the Distribution system of the respondents , under Section 42(2) of the Electricity Act, after remitting the amount of Rs 3,75,000/- and complying with all the required formalities in that regard As; illegal, arbitrary, un-reasonable, and in violation of the provisions of the Electricity Act under Terms of Regulation 2 of 2005 of The State Electricity Commission and consequently, directing the respondents to accord approval for the open access system of supply of Electricity to their company from Tata Power Company Ltd as per their application dt 11-2- 2016 in the interest of justice (2) and to grant any such other or further reliefs as may be deemed fit and proper under the circumstances of the case.”

2. Heard the learned counsel for the petitioner, Sri J.Ashvini Kumar, learned standing counsel for the

1st respondent and Sri R.Vinod Reddy, learned standing counsel for the respondents 2 to 4.

3. The grievance in the present writ petition, as per the material available on record, is the inaction on the part of the respondents herein in according approval for open access supply of electricity to the petitioners company, as per Section 42(2) of the Electricity Act, even after remitting an amount of Rs.3,75,000/- and complying with all the formalities in that regard.

4. At the hearing, it is submitted by the learned standing counsel that the request of the petitioner will be considered, in accordance with law, if he makes a representation afresh explaining all the aspects.

5. Recording the said submission, this writ petition is disposed of, without expressing any opinion on merits and demerits of the matter, keeping it open for the petitioner herein to make a representation afresh for redressal of his grievance, explaining all the things, within a period of two weeks from the date of receipt of a copy of this order. If any such representation is made, the same be considered and appropriate action be taken, in accordance with law, within a period of two months from thereafter.

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

A.V.SESHA SAI, J

03.03.2017
SS

