

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

WRIT PETITION No.4236 OF 2017

ORDER:

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

“to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the Provisional Assessment Notices issued in Lr.No.ADE/O/F.No./D.No.295, dated 26-02-2016 and Lr.No.ADE/O/F.No./D.No.296, dated 26-02-2016 by the 3rd Respondent as illegal, arbitrary and unjust and consequently direct the Respondents to refer the matter to the designated Court for determination of the liability under Section 154 of the Electricity Act, 2003 in respect of the Petitioner's service connection bearing S.C.No.1452540901000165 Category LT-3 (A) (I) situated at Amaravalli Village, U.Kothapalli Mandal, East Godavari District.”

2. Heard Sri B.S.Shivaji, learned counsel for the petitioner, Sri N.Siva Reddy, learned standing counsel for the 1st respondent and Sri M.Ravindra, learned standing counsel for the respondents 2 to 4.

3. When the matter is called, it is submitted by the learned counsel for the petitioner that in identical set of circumstances, this Court disposed of W.P.No.29438 of 2016, by way of an order dated 02.09.2016 and a copy of the same

is also placed on record along with the writ petition as material paper.

4. Paragraph No.5 of the above said order, reads as under:

“5. Having regard to the facts and circumstances of the case and also the submissions made by the learned counsel for both parties, the respondents are hereby directed to refer the matter to Civil Court to decide the liability of the petitioner in the light of the provisions of the Electricity Act, 2003, as expeditiously as possible, preferably within a period of three weeks from the date of receipt of a copy of this order.”

5. Following the above said order and for the reasons recorded therein, this writ petition is also disposed of, in terms thereof.

6. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

08.02.2017

SS

*Note: Copy of the order in W.P.No.29438 of 2016,
Dated 09.11.2016 shall be annexed.*

B/o.SS