

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

WRIT PETITION No.6837 OF 2017

ORDER:

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

“to issue writ, order or direction, more particularly one in the nature of the writ of Mandamus, declaring the action of the respondents in interfering with the petitioners electricity connection and also threatening to disconnect the petitioners electricity connection without showing any reasons and without issuing any notice as illegal, arbitrary and violative of The Constitution of India and consequently direct the respondents not to interfering with the petitioners electricity connection without showing any reasons and without issuing any notice.”

2. According to the petitioners, they constructed building after obtaining permission from the erstwhile Gram Panchayat and the respondents have granted electricity connection to the petitioners' houses, vide service connection Nos.6334-02124, 6334-02123, 6334-01930, 6334-02122 and 6334-01969. It is further stated in the affidavit filed in support of the writ petition that on 22.02.2017, the respondents came to the petitioners' houses and removed highhandedly some of the electricity switch boards, while stating that they received the complaint with regard to the

misuse of electricity by the petitioners and the respondents failed to explain the mode of misuse of electricity. The grievance of the petitioners, in the present writ petition, is without issuing any notice, respondents are threatening to disconnect the electricity supply and interfering with the day to day activities of the petitioners herein without showing any proper reasons.

3. A counter affidavit is filed by the 2nd respondent – Assistant Divisional Engineer, TSSPDCL, stating that the service connections bearing S.C.No.6334-01969, 6334-2124, 6334-2122, were disconnected on 22.02.2017, for violating GTCS and the service connection bearing S.C.No.6334-2123 is in disconnection from very long time.

4. A reply affidavit is filed by the petitioners stating that it is false to state that the service connections bearing S.C.Nos. 6334-01969, 6334-02124 and 6334-02122 were disconnected by the respondents on 22.02.2017. It is further stated that even today, they are existing. It is further stated that it is false to state that S.C.No.6334-02123 is disconnected for very long time. It is further stated that the 2nd petitioner paid the bill to the service connection Nos. 6334-02123 till the month of February, 2017.

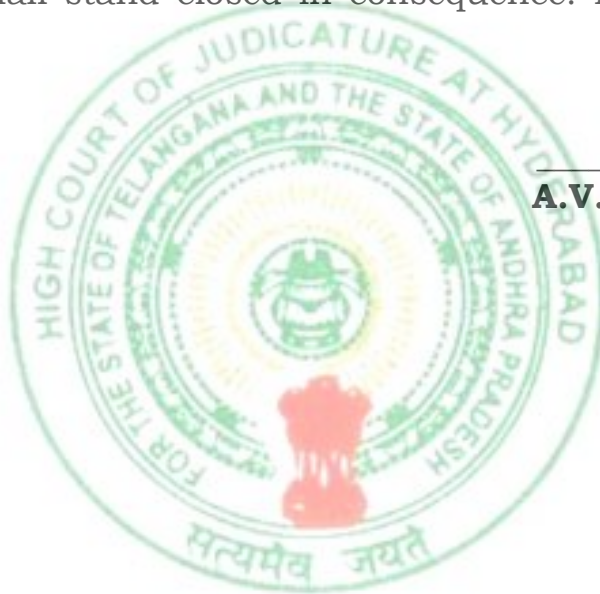
5. Even according to the counter affidavit filed by the respondent herein, the specific averment of the petitioner in the writ affidavit that the respondents are threatening to

disconnect the power supply without issuing any notice is not denied.

6. In view of the above said averments, this writ petition is disposed of, directing to maintain *status quo* with regard to the service connections of the petitioners herein and it is open for the respondents herein to proceed in accordance with law, after issuing notice.

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

13.03.2017
SS



A.V.SESHA SAI, J