

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.9307 of 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief:

...to issue a writ of Mandamus or any other appropriate writ or writs, order or direction, declaring the action of the 2nd Respondent in not disposing of the Representation dated 17.12.2016 submitted by the petitioner against the Provisional Assessment in Lr.No. ADE/ OP/ ASMANGADH/ D.No.2430 Dt. 19-11-2016 issued by the 3rd Respondent for provisional assessment of electricity charges on the ground of short billing - Meter found defective as being illegal, arbitrary and contrary to the general terms and conditions of supply and consequently direct the 2nd Respondent to dispose of the representation of the petitioner dated 17.12.2016 and pass such other order or orders....”

2. I have heard the submissions of Sri Venkat Reddy Thipparthi, learned counsel for the petitioner and of Sri R.Vinod Reddy, learned Standing Counsel for TSSPDCL representing the respondents. I have perused the material record.

3. The learned counsel for the petitioner would submit that though the petitioner is regularly paying the monthly electricity consumption charges as is evident from the copies of the receipts produced along with the writ petition, the provisional assessment was illegally made for a huge amount of Rs.7,77,112/- and that under protest, the petitioner had paid rupees one lakh and submitted a representation, dated 17.12.2016, to the 2nd respondent, but no orders are yet passed on the said representation and that there is imminent threat of disconnection of electrical power supply to the subject service connection provided to the petitioner's premises and that therefore, the writ petition is filed.

4. At the hearing, the learned counsel for the petitioner and the learned Standing Counsel for TSSPDCL representing the respondents would submit that this writ petition may be disposed of with appropriate direction to the 2nd respondent to dispose of the representation, dated 17.12.2016, of the petitioner within a reasonable time.

5. Recording the said submissions of the learned counsel for both the sides and taking into consideration the fact that the petitioner had already deposited one lakh of rupees, this writ petition is disposed of directing the petitioner to deposit another one lakh rupees within a period of two (02) weeks from the date of receipt of a copy of this order and further directing the 2nd respondent to consider, on such deposit of rupees one lakh by the petitioner, the representation, dated 17.12.2016, of the petitioner and dispose of the same within a period of two (02) weeks thereafter in strict accordance with the procedure established by law. It is needless to state that the petitioner shall continue to pay electricity consumption charges regularly as per the demands that may be made as per the meter readings.

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