

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.35487 of 2017

ORDER:

The petitioner is having a service connection bearing SC No.141700124. While so, it was inspected on 19.07.2017 by the AE SD-1, DPE, Mahaboobnagar, and theft of energy case was booked under Section 135 of the Electricity Act, 2003. A provisional assessment of electrical charges was made and pending determination of civil liability, the petitioner was asked to make payment of 50% of the assessed amount i.e., Rs.8,24,370/- and supervision charges of Rs.100/- along with reconnection charges of Rs.75/- for restoration of supply and to pay the balance 50% amount in two installments. Challenging the same, the present Writ Petition is filed.

Learned Counsel for the petitioner submits that the petitioner paid the compounding amount of Rs.10,000/- and also paid an amount of Rs.2,74,790/- under receipt Nos.045012 and 045245. On such payment, the power connection was restored. But, the respondents are insisting to pay the balance amount and threatening disconnection of power supply.

Since the petitioner already paid Rs.2,74,790/-, the service connection of the petitioner shall not be disconnected, provided the petitioner pays 1/4th (one fourth) of the original assessed amount within a period of two weeks after giving credit to the amount already paid to the respondents. As and when

such payment is made, the case of the petitioner shall be referred to the Special Court for determination of civil liability. In default of paying the balance of 1/4th of provisional assessment amount, it is open to the respondents to take necessary action in accordance with law.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

25.10.2017
vs



(A.RAMALINGESWARA RAO, J)