

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.35965 OF 2017

ORDER:

This Writ Petition is filed seeking writ of mandamus declaring the action of the 4th respondent in disconnecting power supply to all services stands in the name of petitioner at the instance of 5th respondent even after receiving part payment, as illegal and arbitrary.

The grievance of the petitioner is that the petitioner has supplied water to the 5th respondent by digging 11 borewells and the 5th respondent is due an amount of Rs.1,19,01,120/-. As the 5th respondent failed to pay the said amount, petitioner filed W.P.No.37500 of 2017 and same was disposed of by this Court on 14.11.2017 directing the 5th respondent to pay the admitted balance amount of Rs.37,00,000/- in two installments i.e., 17,00,000/- within a period of ten days from that day and remaining Rs.20,00,000/- and odd within a period of two weeks thereafter. In spite of the said direction, the 5th respondent Municipality has not paid the said admitted amount. As a result of which, petitioner could not pay the electricity bills, as such electricity connection to the petitioner's water plant was disconnected on 16.10.2017. Aggrieved by the same, present Writ Petition is filed.

Heard learned counsel for the petitioner, Smt. J.Koteshwari Devi, learned Standing Counsel for respondents 2 to 4 and Sri Md. Saleem, learned Standing Counsel for 5th respondent.

Learned counsel for the petitioner submits that the petitioner is ready to pay the electricity bills in installments, if some time is granted for payment.

Smt. J.Koteshwari Devi, learned Standing Counsel for respondents 2 to 4 submits that total Rs.15,00,000/- is due by the petitioner.

In view of above facts and circumstances, the respondents 3 and 4 are directed to restore the power supply to the petitioner water plant on payment of Rs.5,00,000/- and the petitioner shall pay the balance amount within two equated monthly installments. In case, if petitioner fails to pay the amount in installments, it is open for the respondents 3 and 4 to take appropriate action for disconnection of power supply.

With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

14-12-2017

Note: Issue CC in three days.

B/o.kvs

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Date: 14.12.2017

kvs



