

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.34871 of 2017

ORDER:

The petitioner's mother was issued the Certificate of Registration for Fresh Water Aquaculture Farm by the Fisheries Department for the land in Survey No.349/1B admeasuring Acs.2.68 cents situated at Denduluru Village and Mandal, West Godavari District. The Service Connection bearing No.1512093105003096 was also given in her name. She appointed one Sri B.Narasimha Rao to look after the affairs of the aquaculture. After her death, the petitioner requested the authorities to transfer the above said Service Connection in his name. Meanwhile, the Service Connection was inspected on 09.10.2015 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.10,24,558 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.

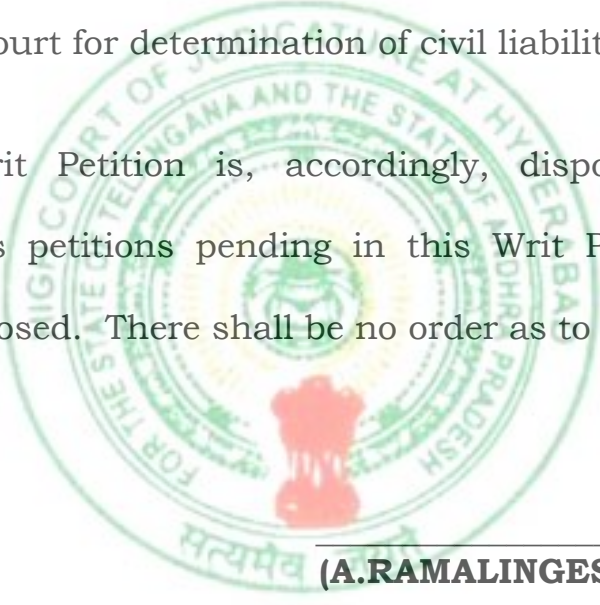
Learned Counsel for the petitioner submits that the petitioner paid 50% of the provisional assessment amount on 16.07.2016 and also paid an amount of Rs.3.00 lakhs on

21.03.2017. But, the respondents are insisting to pay the balance amount and threatening disconnection of power supply.

Since the petitioner already paid 50% of the provisional assessment amount and the liability of the petitioner is yet to be determined by the Special Court, it is not proper for the respondents to disconnect the power supply. As the petitioner has already paid the 50% of the provisional assessment amount, the electricity service connection shall not be disconnected and the case of the petitioner shall be referred to the Special Court for determination of civil liability.

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.

23.10.2017
vs

 (A.RAMALINGESWARA RAO, J)