

HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.40997 of 2017

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader appearing for the first respondent, Sri R. Vinod Reddy, learned Standing Counsel appearing for the second respondent and Sri P. Krishna Reddy, learned Standing Counsel for GHMC appearing for the impleaded respondents 3 and 4. Perused material record.

2. The grievance of the petitioner in this writ petition is that the respondents are not releasing power supply to his premises on the ground of non-production of Occupancy Certificate.

3. Learned counsel for the petitioner submits that in similar circumstances, this Court disposed of several writ petitions and placed on record a copy of the order, dated 15.12.2017, passed by this Court in W.P.No.42716 of 2017.

4. Learned Standing Counsel appearing for the second respondent and learned Standing Counsel for GHMC appearing for impleaded respondents 3 and 4 do not dispute the said submission.

5. However, learned Standing Counsel for the impleaded respondents 3 and 4 would submit that the request for grant of Occupancy Certificate made by the petitioner is defective, as the petitioner failed to submit the required documents, and hence, without complying with such requirement and obtaining Occupancy Certificate, the petitioner is not entitled to seek service connection and supply of power by approaching the second respondent or by filing this writ petition.

6. In reply, learned counsel for the petitioner would submit that the petitioner would comply with the necessary requirements, which are required, for grant of an Occupancy Certificate.

7. In view of the submissions and following the order, dated 15.12.2017, passed by this Court in the aforestated writ petition, this writ petition is disposed of directing the respondents to release the power supply to the premises of the petitioner subject to compliance of the terms and conditions of power supply and on furnishing an undertaking to produce an Occupancy Certificate from the Municipal Corporation within a period of three months. It is made clear that if no such occupancy certificate is produced within such period, it is open to the respondent concerned to take appropriate action in accordance with procedure established by law for disconnection of service connection and withdrawal of power supply.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

M. SEETHARAMA MURTI, J

Date: 21.12.2017
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