

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.43022 OF 2017

ORDER:

This Writ Petition is filed seeking to declare the action of respondent Nos.2 to 5, particularly respondent No.5, in disconnecting electrical power supply to petitioner's residential Service Connection bearing S.C.No.1211304035756 covered by D.No.4-17-16 of Tenali Town, Guntur District, without any notice, as illegal arbitrary and consequently, to direct the respondent authorities to restore power supply to the aforesaid service connection.

2. The case of the petitioner is that he is the owner and possessor of D.No.4-17-16 situated at Chandramouli Street, Ithanagar, Tenali Town and Mandal, Guntur District, having purchased the same from the vendee of its owner, who is respondent No.6. In the year 2016, since respondent No.6 tried to interfere with his possession and enjoyment over the said property, he filed a suit in O.S.No.78 of 2016 on the file of Principal Junior Civil Judge, Tenali, seeking permanent injunction in respect of the said property. Respondent No.6 also filed a suit in O.S.No.363 of 2015 on the file of Senior Civil Judge, Tenali, seeking eviction of the petitioner from the said property. The said suits are pending adjudication. While so, respondent No.5, without issuing any notice, disconnected electric power supply to the service connection of the said house. Hence, the present Writ Petition is filed.

3. Having availed the civil remedy by filing a suit, the petitioner cannot again prosecute the present Writ Petition, as rightly pointed out by the learned Standing Counsel appearing for respondent Nos.2 to 5. It is also the case of the petitioner that respondent No.6 is not registering the said property in his name. But, all these disputes cannot be decided in a Writ Petition.

4. Hence, the Writ Petition is dismissed. However, it is left open to the petitioner to seek appropriate orders in the civil suit filed by him.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

December 20, 2017
MD

A. RAJASHEKER REDDY, J

