

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.1928 of 2018

ORDER:

Petitioner is having a Service Connection bearing No.F4047337. While so, premises of the petitioner was inspected in the 2nd Week of November, 2017 by the officials of the 1st respondent Company. It was found that the meter cover seals were in tampered condition and after testing, it was concluded that the petitioner indulged in theft of energy and thereby, 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 of Rs.23,051.5 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 instalments. Challenging the same, the present Writ Petition is filed.

In view of the facts and circumstances of the case and in view of insisting on the petitioner for payment of 50% of the assessed amount, this Court feels that the case of the petitioner shall be referred to the Special Court for determination of civil liability, on condition of the petitioner paying 1/4th (one fourth) of the provisionally assessed amount to the respondents, within a

period of thirty (30) days. On such payment, the electricity service connection shall be restored to the petitioner 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.

Miscellaneous Petitions, if any pending shall stand closed.

There shall be no order as to costs.

24th JANUARY, 2018.

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CHALLA KODANDA RAM, J

