

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

WEDNESDAY, THE SECOND DAY OF SEPTEMBER,
TWO THOUSAND AND FIFTEEN

:PRESENT:
THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WP .NO: 19894 of 2015

Between:

- 1 NORTHERN POWER DISTRIBUTION COMPANY OF TELANGANA LTD.,
Rep. by its Chairman & Managing Director At 2-5-31/2, Vidyuth Bhavan,
Nakkalagutta, Hanmakonda, Warangal District
- 2 SOUTHERN POWER DISTRIBUTION COMPANY OF TELANGANA LTD.,
Rep. by its Chairman & Managing Director At 6-1-50, Mint Compound,
Hyderabad

...Petitioners

AND

- 1 The State of A.P., Rep. by its Prl. Secretary, Energy Secretariat,
Hyderabad
- 2 The State of Telangana, Rep. by its Prl. Secretary, Energy Secretariat,
Hyderabad
- 3 Central Electricity Regulatory Commission, Rep. by its Secretary, at 4th
floor, Chandralok Building 36 Janpath, New Delhi - 110 001
- 4 The Telangana State Electricity Regulatory Commission, Rep. by its
Secretary, At 6th Floor, Singareni Bhavan, 11-64-600 Red Hills, Hyderabad
- 500 004
- 5 The Andhra Pradesh Electricity Regulatory Commission, Rep. by its
Secretary, At 4th Floor, Singareni Bhavan, 11-64-600 Red Hills, Hyderabad
- 500 004
- 6 The Andhra Pradesh Eastern Power Distribution Company Ltd.,
Rep. by its Chairman & Managing Director, Corporate Office at P & T
Colony, Seethammadhara, Visakhapatnam-530013
- 7 The Andhra Pradesh Southern Power Distribution Company Ltd.,
Rep. by its Chairman & Managing Director Corporate Office at 19-13-65/A
Srinivasapuram, Tiruchanur Road, Tirupathi, Chittoor District - 517 503
- 8 M/s. GMR Vemagiri Power Generation Ltd., Rep. by its Executive Vice-
President At 25/1, Skip House, Museum Road, Bangalore - 560 025.

...Respondents

Petition under Article 226 of the Constitution of India, praying that in the circumstances stated in the Affidavit filed herein, the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of WRIT OF CERTIORARI by calling for the records in respect of orders passed in MP/463/2014, dated 27-04-2015 on the file of 3rd respondent and declare the same as illegal, arbitrary void abinitio besides violative of Sec. 86 & 79 (1) (b) (f) of Electricity Act. 2003 and not inconsonance with Sec. 105 of AP Re-organization Act 2014 and set-aside the same and also quash the proceedings before the 3rd respondent filed by the 8th respondent.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated 22-7-2015 made in WPMP No.25668 of 2015 in WP No.19894 of 2015 and upon hearing the arguments of Sri Y. Rama Rao, Advocate for the Petitioners, learned Advocate General for the State of Telangana for Respondent No.2 and Sri S. Niranjan Reddy, Standing Counsel for Respondent No.8, the Court made the following

ORDER:

In view of the amendment of Writ Rules and since the matter relates to the States Re-organization Act, the matter is required to be placed before the Division Bench for consideration.

The interim order dated 22.07.2015 to continue for a period of one week.

Meanwhile, the Registry is directed to place the matter before the Hon'ble the Acting Chief Justice for obtaining order.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Principal Secretary, Energy Secretariat, State of A.P., Hyderabad
- 2 The Principal Secretary, Energy Secretariat, State of Telangana, Hyderabad
- 3 The Secretary, Central Electricity Regulatory Commission, at 4th floor, Chandralok Building 36 Janpath, New Delhi - 110 001
- 4 The Secretary, Telangana State Electricity Regulatory Commission, At 6th Floor, Singareni Bhavan, 11-64-600 Red Hills, Hyderabad - 500 004
- 5 The Secretary, Andhra Pradesh Electricity Regulatory Commission, At 4th Floor, Singareni Bhavan, 11-64-600 Red Hills, Hyderabad - 500 004
- 6 The Chairman & Managing Director, Andhra Pradesh Eastern Power Distribution Company Ltd., Corporate Office at P & T Colony, Seethammadhara, Visakhapatnam-530013
- 7 The Chairman & Managing Director, Andhra Pradesh Southern Power Distribution Company Ltd., Corporate Office at 19-13-65/A Srinivasapuram, Tiruchanur Road, Tirupathi, Chittoor District - 517 503.
- 8 The Executive Vice-President, M/s. GMR Vemagiri Power Generation Ltd., At 25/1, Skip House, Museum Road, Bangalore - 560 025.
- 9 The Registrar (Judicial), High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh.
- 10 The Section Officer, WP (Non – Service) Section, High Court, Hyderabad.
- 11 One CC to Sri Y. Rama Rao, Advocate (OPUC)
- 12 Two CCs to the Advocate General (State of Telangana), High Court, Hyderabad. (OUT)
- 13 One spare copy.

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HIGH COURT

VVA,J

DATED: 2-9-2015

ORDER

W.P.NO. 19894 OF 2015

DIRECTION

HIGH COURT

Nnr

Date of Drafting : 05-09-2015

VVA,J

DATED: 2-9-2015

ORDER

W.P.NO. 19894 OF 2015

DIRECTION