

The Hon'ble Sri Justice Abhinand Kumar Shavili

Writ Petition No.17355 of 2018

Date: 10.05.2018

Order:

This Writ Petition is filed seeking a writ of *Mandamus* declaring the action of the respondents in not considering the petitioner's representation, dated 04.05.2018, for grant of 12 equal monthly instalments for payment of arrears of electricity consumption charges, as demanded by respondent No.2 *vide* letter, dated 10.4.2018, as illegal, arbitrary and contrary to the A.P. Electricity Regulatory Commission (Electricity Supply Code) Regulation 5 of 2004 (for short 'the Code').

Heard Sri Challa Gunaranjan, learned Counsel for the petitioner, and Sri R.Vinod Reddy, learned Standing Counsel for Telangana State Southern Power Distribution Company Limited (TSSPDCL) appearing for the respondents.

It has been contended by the petitioner that it is engaged in the business of manufacturing cotton yarn; that in order to carry on its business activity, it has availed HT category-I(A) connection from the respondents; and that there are nearly 700 direct employees and 4,000 indirect employees working in its company. While so, respondent No.2 had issued demand notice, dated 10.04.2018, demanding payment of arrears of Rs.1,92,19,406/-

within seven days, to which the petitioner has submitted a representation on 04.05.2018 requesting to permit it to pay the said arrears in 12 equal monthly instalments and to establish its *bona fides*, it has also deposited Rs.10 lakhs. But, so far, the respondents have neither considered the said representation nor passed any orders thereon.

Learned Counsel appearing for the petitioner has drawn the attention of this Court to Clause-4.6 of the Code, which permits the consumers to pay the arrears in instalments and submitted that the petitioner made its representation in accordance with the said Clause.

Sri R.Vinod Reddy, learned Standing Counsel for the TSSPDCL, contended that the petitioner fell in arrears to a tune of Rs.1,92,19,406/- and that in spite of giving many opportunities, it has not paid the same. Therefore, no interference is called for by this Court and the Writ Petition is liable to be dismissed.

Having considered the submissions made by the rival parties, this Court is of the considered view that ends of justice would be met, if the Writ Petition is disposed of directing the respondents to consider the petitioner's representation, dated 04.05.2018, and to pass appropriate orders thereon within six weeks from the date of receipt of a copy of this order. It is needless to say that till the

respondents pass such orders, they shall not disconnect the power supply to the petitioner.

Subject to the above directions, the Writ Petition is disposed of, however, without any costs.

As a sequel to disposal of the Writ Petition, Miscellaneous Petitions, pending if any, stand disposed of as infructuous.

(Abhinand Kumar Shavili, J)

Dt: 10th May, 2018
lur/dr

