

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.17459 OF 2018

ORDER

This writ petition is filed seeking to issue a Writ of Mandamus declaring the action of the respondents in not releasing the power supply to the petitioner's H.No.1-8-726/26, Plot No.26, Achaiah Nagar, Nallakunta, Hyderabad, as arbitrary, illegal and consequently to direct the respondents to release the power supply without insisting occupancy certificate from the 4th respondent.

Heard Smt M.Shalini, learned counsel appearing for the petitioner and Sri R.Vinod Reddy, learned Standing Counsel appearing for respondents 1 to 3.

It is the case of the petitioner that he and one Lavanya Bachu are the owners of the property bearing H.No.1-8-726/26, Plot No.26, Achaiah Nagar, Nallakunta, Hyderabad, having purchased the same under registered sale deed dated 11.8.2015 from one K.Ruth Frederick and since then, they are in peaceful possession and enjoyment of the same. After obtaining permission from the 4th respondent-Greater Hyderabad Municipal Corporation, they commenced construction. Thereafter, they have applied for supply of electricity in terms of the conditions of supply to respondents 1 to 3. But the respondents failed to supply the same for want of occupancy certificate. Hence the writ petition.

When the matter is taken up for hearing, learned counsel appearing for the petitioner submits that the issue involved in this writ petition is squarely covered by judgment of this Court in W.P.No.15992 of 2018, dated 30.04.2018.

Learned Standing Counsel appearing for respondents 1 to 3 does not dispute the same.

Following the same, the Writ Petition is disposed of directing respondents 1 to 3 to release the power supply to the premises of the petitioner subject to the compliance of the terms and conditions and on furnishing an undertaking to produce the occupancy certificate from the concerned Municipal Corporation within the prescribed period, and if no such occupancy certificate is produced within such period, it is open to the respondents to take appropriate action in accordance with law. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

17th May, 2018
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