

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.22722 of 2018

ORDER :

Heard the counsel for petitioner, and the learned Government Pleader for Energy for 1st respondent, and Sri R. Vinod Reddy, counsel for respondent nos.2 and 3.

2. The petitioner's grievance is that respondents are refusing to provide electricity under domestic category to petitioner's house property though petitioner had paid all the requisite charges therefor and erected necessary infrastructure therefor.

3. Sri, R. Vinod Reddy, counsel appearing for respondent nos.2 and 3, points out that on the ground floor of the constructed structure a *mulgi* for commercial use has been used which cannot be provided electricity under the domestic category.

4. This is disputed by the counsel for petitioner.

5. It is also stated that petitioner had applied for 'Occupancy Certificate' and that the Greater Hyderabad Municipal Corporation has not yet granted the same.

6. Therefore, having regard to the orders dt.28.08.2017 in WP.No.28779 of 2017, the respondents are directed to release the power supply under 'Domestic Category' to petitioner's premises subject to compliance of the terms and conditions of supply and furnish an undertaking to produce the 'Occupancy Certificate' from

the Greater Hyderabad Municipal Corporation within a time prescribed by the 2nd respondent.

7. It is made clear that if no such 'Occupancy Certificate' is produced within such period, it is open to the respondents to take appropriate action in accordance with law.

8. The respondents shall also ensure that the supply given under domestic category to petitioner is not utilized for any commercial use by the petitioner unless the petitioner applies for an electricity supply connection under the appropriate category for such use.

9. Accordingly, the Writ Petition is disposed of with the above directions. No order as to costs.

10. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 11.07.2018

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