

**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: 15848 of 2015

Between:

1. Eastern Power Distribution Company of Andhra Pradesh Ltd.,
Rep. by its Chairman & Managing Director, having its registered Office at
P & t Colony, Seethammadhara, Visakhapatnam.
2. Southern Power Distribution Company of Andhra Pradesh Ltd.,
Rep. by its Chairman & Managing Director,
having its registered Office At 19-13-65/A, Kesavayana Gunta,
Tirupati, Chittoor District.

..... PETITIONERS

AND

- 1 GMR Vemagiri Power Generation Ltd., A Company registered in
accordance with the Provisions of Companies Act, 1956 having its
Registered Office at Skip House, 25/1, Museum Road, Bangalore -560 025,
Rep. by its Managing Director.
- 2 Central Electricity Regulatory Commission, Constituted under provisions
of Electricity Act 2003, Rep. by its Secretary, 3rd & 4th Floor, Chanderlok
Building, 36, Janpath, New Delhi - 110 001.
- 3 Telangana Southern Power Distribution Company Ltd., Rep. by its
Chairman & Managing Director, having its registered Corporate Office at 6-
1-50, Mint Compound, Hyderabad-500 063. (Formerly/earlier it is described
as APCPDCL).
- 4 Telangana Northern Power Distribution Company Ltd., Rep. by its
Chairman & Managing Director, having its registered Office at
Nakkalagutta, Hanamkonda, Warangal. (Formerly/earlier it is described as
APNPDCL).

.....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 any appropriate writ, direction or order, more particularly one in the nature of Writ of Prohibition, declaring that the order of second respondent dated 27-04-2015 as illegal, arbitrary and prohibit the second respondent herein from entertaining the Original Petition filed by the first respondent herein against the petitioners which is numbered as M.P. No.463 of 2014 and to declare the very entertaining petition of 1st respondent by 2nd respondent as bad in law, being violative of Article 14 of the Constitution of India and principles of Natural Justice and fair play as well as contrary to the provisions of the Electricity Act, 2003 and A.P. Reorganization Act, 2014 consequently set aside the order dated 27-04-2015 of the 2nd respondent in the interest of justice.

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 10-07-

2015 & 22-7-2015 made herein and upon hearing the arguments of Sri M. Ravindra, (SC FOR APEPDCL) Advocate for the Petitioners, Sri S. Niranjan Reddy, Advocate for Respondent No.1 and the learned Advocate General for the State of Andhra Pradesh, 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 10.07.2015 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 Managing Director, GMR Vemagiri Power Generation Ltd., A Company registered in accordance with the Provisions of Companies Act, 1956 having its Registered Office at Skip House, 25/1, Museum Road, Bangalore -560 025.
- 2 The Secretary, Central Electricity Regulatory Commission, Constituted under provisions of Electricity Act 2003, 3rd & 4th Floor, Chanderlok Building, 36, Janpath, New Delhi - 110 001.
- 3 The Chairman & Managing Director, Telangana Southern Power Distribution Company Ltd., having its registered Corporate Office at 6-1-50, Mint Compound, Hyderabad-500 063. (Formerly/earlier it is described as APCPDCL).
- 4 The Chairman & Managing Director, Telangana Northern Power Distribution Company Ltd., having its registered Office at Nakkalagutta, Hanamkonda, Warangal. (Formerly/earlier it is described as APNPDCL).
- 5 The Registrar (Judicial), High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh.
- 6 The Section Officer, WP (Non – Service) Section, High Court, Hyderabad.
- 7 One CC to Sri M. Ravindra, Advocate (OPUC)
- 8 Two CCs to the Advocate General (State of A.P.), High Court, Hyderabad. (OUT)
- 9 One spare copy.

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HIGH COURT

VVA,J

DATED: 2-9-2015

ORDER

W.P.NO. 15848 OF 2015

DIRECTION

HIGH COURT

Nnr

Date of Drafting : 04-09-2015

VVA,J

DATED: 2-9-2015

ORDER

W.P.NO. 15848 OF 2015

DIRECTION