

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.35221 of 2018

ORDER :

Heard the counsel for petitioner, and Sri R. Vinod Reddy, counsel for respondent Nos.1 and 2.

2. The petitioner herein has approached this Court assailing letter dt.03-11-2017 of the 2nd respondent alleging that the petitioner has tampered with the meter provided for his service connection, that the provisional assessment of the electricity charges due to the 2nd respondent is fixed at Rs.1,29,200/-, that the service connection of petitioner was disconnected on 03-11-2017, and directing the petitioner to pay the said amount as a condition for restoration of power supply.

3. It is not in dispute that in cases similar to the instant case, this Court directed restoration of power supply on condition of payment of 25% of the provisionally assessment amount, and further directed the 2nd respondent to make a reference to the Special Court under Section 154(5) of the Electricity Act, 2003 regarding civil liability of the consumer and pending determination of such civil liability by the Special Court directed that the electricity supply be continued.

4. Petitioner states that he paid Rs.64,700/- on 16-01-2008 to the 2nd respondent.

5. Therefore, following the same, the present Writ Petition is also disposed of directing 2nd respondent to refer the matter under Section 154 (5) of the Electricity Act, 2003 to the Special Court for determination of civil liability of the petitioner; and till such determination is made, the service connection of petitioner, which is restored, shall not be disconnected.

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

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

JUSTICE M.S.RAMACHANDRA RAO

Date: 01.10.2018

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