

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 40686 of 2018

Date : 5.12.2018

Between:

G Pandurayya S/o Yenkayya aged 62 years Occ Business
Tenant of Shop No 221075/1/6/5 Near 6 No X Road Bagh
Amberpet Hyderabad R/o H No 184446 Aliabad Hyderabad
Petitioner

And

The Southern Power Distribution Company of Telangana Ltd
TSSPDCL ep by Chairman and Managing Director FAC
Headquarters Hyderabad Telangana & others
Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned standing counsel for respondent TS-SPDCL.

2. Petitioner claims to be running a barber shop in premises bearing No. 2-2-1075/1/6/5, Road No.6, Bagh Amberpet, Hyderabad, leased out to him by 4th respondent. Alleging that the power connection is disconnected to said premises by TS-SPDCL illegally at the instance of 4th respondent, this writ petition is filed.

3. When the matter is taken up, learned standing counsel representing respondents 1 to 3 informs the Court that property is vested with GHMC and GHMC is widening the road and as per instructions of GHMC power supply connection is disconnected to petitioner. Having regard to this submission, GHMC was impleaded as 5th respondent by order dated 14.11.2018 and learned standing counsel for GHMC was directed to obtain instructions.

4. Today, learned standing counsel for GHMC produced photo copy of documents evidencing acceptance of owner of property for parting with the property on receiving compensation mutually agreed upon; that compensation of Rs.69,04,156/- was paid and possession was given to GHMC.

5. Learned counsel for petitioner sought to contend that there is inter-se dispute between petitioner and 4th respondent and 4th respondent filed suit for eviction and the same is pending and that being so, petitioner cannot be evicted from the premises.

6. The inter-se dispute between petitioner and 4th respondent and claim of the petitioner that he is tenant are matters for consideration and resolution between petitioner and 4th respondent. Property belongs

to 4th respondent and 4th respondent parted with the same and received the compensation and now property stands vested in GHMC, therefore, action taken by GHMC to request TS-SPDCL to disconnect power supply and TS-SPDCL agreeing to disconnect power supply cannot be faulted. This writ petition merits no consideration and the same is dismissed leaving it open to the petitioner to work out remedies available to him against 4th respondent. No costs. Miscellaneous petitions, if any pending, are closed.

DATE: 5-12-2018
TVK

P NAVEEN RAO,J



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