

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.45080 OF 2018

Date: 12.12.2018

Between:

Smt. Suvvari Kavitha, w/o.Simhachalam,
Aged about 39 years, Occu: Housewife,
R/o. 2nd Floor, NRR Surya Apartments,
Karkachettu Road, Peddawaltair Junction
Down, Lawson Bay Colony, Visakhapatnam,
Visakhapatnam district.

.....Petitioner

and

The Eastern Power Distribution Company Limited
of A.P. Limited (EPDCL), Gurudwara Junction,
Visakhapatnam, rep.by its Chairman & Managing
Director and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims to be the owner and in possession of land admeasuring Ac.0.05 cents, equivalent to 242 square yards in Sy.No.69/9B of Yendada village, Visakhapatnam Rural Mandal. Petitioner claims to have purchased the same by way of registered sale deed dated 13.07.2017. Petitioner alleges that respondents 1 and 2 have fixed power supply connection meter in the vacant land of petitioner. When petitioner visited the land, he found unauthorized meter and complained against the illegal unauthorized service meter connection, but action is not taken. Alleging illegally electricity meter and power supply connection is installed in the property belonging to petitioner, this writ petition is filed.

2. The averments made in the affidavit filed in support of the writ petition would disclose that there is *inter se* dispute between the petitioner and the respondents 3 to 6. Petitioner seems to be alleging interference by the unofficial respondents. She also filed O.S.No.475 of 2018 pending in the Court of Principal Senior Civil Judge at Visakhapatnam. The prayer sought was to restrain the respondents 4 to 6 from interfering with the peaceful possession and enjoyment of the petitioner's property. It appears injunction application is also pending consideration of the trial Court. It cannot be said, *prima facie*, who is in occupation at this stage for the Court to hold that illegally power supply connection is provided to the subject premises. Merely because the power supply

connection is provided to the subject premises, would not automatically make a person as owner of the property. If what is contended by the petitioner is correct and unauthorisedly electric power supply connection is installed on the premises in her possession, it is open to her to file appropriate application before the competent authority of the respondent Distribution Company and can request the company to remove the power supply connection. Thus, leaving it open to petitioner to make appropriate application/to pursue appropriate remedy, Writ Petition is dismissed. Pending miscellaneous petitions shall stand dismissed.

Date: 12.12.2018
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JUSTICE P.NAVEEN RAO



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