

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.45689 of 2018

ORDER:

Challenging the Assessment Notice, dated 06.12.2018, for theft of electricity, issued by the 3rd respondent, the present Writ Petition is filed.

It is the case of the petitioner that power connection to the S.C.No.8211121001692 has been disconnected with the following allegation:

“The service is inspected, as per the complaint of Assistant Divisional Engineer/O/Banganapalli, dt.26.11.2018 and found that the incoming service cables (Black coloured XLPE cable) having tapped joints. On observation it is found that the insulation was peeled off before the CT meter for all the 3 wires of the cable. On enquiry, the consumer Sri K. Nagaraju confessed the mistake and accepted that their workers has indulged in pilferage of electrical energy by directly connecting the loads to the incoming cables, (where the insulation is peeled off) before the CT meter unauthorizedly, there by avoiding the recording of consumption in meter. Hence pilferage case is booked under Section 135(1) fo electricity act.

Hence, it is a theft of energy case.”

Heard the learned counsel for the petitioner and Sri N. Siva Reddy, learned Standing Counsel for the 2nd and 3rd respondents.

Inasmuch as, there is a specified procedure prescribed under Sections 135 and 154 of the Electricity Act, 2003 (in short “the Act”) with respect to the theft of electricity. Therefore, the petitioner is required to take necessary steps with respect to challenge for the demand. However, as an interim measure, pending consideration of the negotiations / proceedings and completing enquiry, in terms of the procedure prescribed under the Act, the power connection to the petitioner’s Service Connection

bearing No.8211121001692, shall be restored on the condition of petitioner paying 1/3rd of the total demanded amount and further giving undertaking with respect to the payment of balance amount.

Subject to the above, the Writ Petition is disposed. No order as to costs.

Consequently, Miscellaneous Petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J

Date: 15.12.2018

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