

HON' BLE SRI JUSTICE C.PRAVEEN KUMAR

AND

HON' BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No. 44958 of 2017

ORDER: (per Hon'ble Sri Justice C.Praveen Kumar)

The present application came to be filed seeking issuance of a Writ of *Mandamus*, declaring the action of the 2nd respondent in passing an award in P.L.A.C.No. 64 of 2017, dated 19.08.2017, as illegal, on the ground that the said order came to be passed without giving notice to the writ petitioner herein.

2. A perusal of the material placed on record shows that the 5th and 6th respondents filed a petition in P.L.A.C.No. 64 of 2017 under Section 22 (c) of the Andhra Pradesh Legal Services Authority Act, seeking a direction to the officers of the Electricity Department to continue the location of electricity transformer at their land in Survey Nos. 1188 and 1189 of K.Sunkesula Village of Khajipet Mandal. By order dated 19th August, 2017, the permanent Lok Adalat passed an award with a clarification that the Assistant Engineer, APSPDCL, Khajipet is at liberty to consider the technical feasibility of providing agricultural electricity service connection with least possible poles utilized and provide such connection to the petitioner (5th respondent) at her field in Survey Nos. 1188 and

1189 of K.Sunkesula Village, if necessary, by retaining the transformer already erected.

3. The grievance of the petitioner is that though he is in exclusive possession and enjoyment of the land in Survey No.1188 of Sunkesula Village, the order in P.L.A.C.No. 64 of 2017 has been passed without hearing him, and that he should have been put on notice before passing the said order.

4. The learned counsel for the unofficial respondents contended that no electricity connection has been provided to their premises, which is disputed by the petitioner.

5. A perusal of the order under challenge does not indicate that the petitioner has been put on notice before passing the said order. As seen from the record, without hearing the petitioner, through whose land the electric poles are sought to be erected and electricity connection is sought to be provided to the 5th and 6th respondents, the order has been passed by the permanent Lok Adalat.

6. As there is a dispute between the parties with regard to the electric connection being provided, without disturbing the order passed by the Lok Adalat, we direct the permanent Lok Adalat to hear the writ petitioner and all concerned herein afresh and pass appropriate orders in accordance with law, uninfluenced by the observations made by this court, as expeditiously as possible, at

any rate, within four to six weeks from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition is disposed of at the admission stage.

JUSTICE C. PRAVEEN KUMAR

JUSTICE T. AMARNATH GOUD

10.04.2018
DMG

