

HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.3129 OF 2019

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking the following relief:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or a Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of disconnecting the power supply on 14.02.2019 for electrical meter SC. No. CZ010828 for the Flat No.201, Nirman Towers, East Marrdepally, Secunderabad and consequently declare that the said connection cannot be treated as being used for commercial purposes and pass such other order or orders as this Hon'ble Court deemed fit and proper in the circumstances of the case.”

2. Heard Sri Dishit Bhattacharjee, learned counsel appearing for the petitioners and Sri R.Vinod Reddy, learned Standing Counsel for the Telangana State Southern Power Distribution Company Limited, appearing for the respondents.

3. The only grievance of the petitioners is that the respondents 3 & 4 have disconnected the power supply of the petitioners' flat bearing No.201, Nirman Towers, Marredpally, Secunderabad, on 14.02.2019, without issuing any prior notice and intimation to the petitioners and the same was not restored though there are no arrears of any electrical charges to be paid. Aggrieved by the same, the present writ petition is filed.

4. Sri R.Vinod Reddy, learned Standing Counsel appearing for the respondents submit that admittedly, the petitioners have cleared the dues of electrical charges subsequent to the disconnection of the power supply and the same has been restored and, therefore, the cause in the writ petition does not survive for adjudication.

5. Per contra, Sri Dishit Bhattacharjee, learned counsel appearing for the petitioners submits that the connection of power supply to the subject flat of the petitioners cannot be treated as being used for commercial purpose, as the same is being used for residential purpose and also as Advocate's Office.

6. Without going into the merits of the case, the Writ Petition is disposed of giving liberty to the petitioners to submit a representation to the respondents and on receipt of such representation, the respondents shall consider the same, enquire into the matter and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of two (02) months from the date of receipt of such representation. There shall be no order as to costs.

Miscellaneous Petitions, if any pending, shall stand closed.

T.AMARNATH GOUD, J

Date: 30th April, 2019

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