

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.7891 OF 2019

Date: 17.04.2019

Between:

Mr B. Sridhar Rao, s/o. Venkat Narsu,
Aged about 50 years, occu: Pvt.Employee,
R/o. Flat No.A-104, Matrixx Majestic,
M.C.H.No.5-9-55, Yapral, Malkajgiri,
Ranga Reddy District, T.S.

.....Petitioner

and

The State of Telangana, rep.by its
Secretary, Home Department,
Secretariat, Hyderabad and others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.7891 OF 2019

ORDER:

Petitioner claims to be the owner of residential flat bearing No.A-104 in Block-A, first floor in Matrixx Majestic Apartment building, Yarpal. In this Writ Petition, petitioner is aggrieved by the decision of M/s.Matrixx Majestic Residential Welfare Society disconnecting the water connection and generator connection to his flat.

2. Respondent No.5 is a private society and any dispute between the member of the society and the society is purely private and bound by the Bye-laws formulated by the society regulating the relationship of members of the residential building and if petitioner has any grievance against the functioning of the society or decision made by the society, he has to work out his remedies as available in law. *Prima facie*, it is seen from Section 21 of the A.P.Apartments (Promotion of Construction and Ownership) Act, 1987, Manager is vested power to cut off, withhold, curtail or reduce essential supplies or services to the residential apartment. Since power is vested in the society by the statute, *prima facie*, it cannot be said that decision of disconnecting power supply and generator connection cannot be held as *ex facie* illegal.

3. At this stage, learned counsel for petitioner sought to contend that as there were no arrears payable by the petitioner, disconnection of water supply and generator connection is illegal. This is the question of fact to be verified by the competent authority. Leaving it open to petitioner to work out his remedies as

available in law, Writ Petition is dismissed. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 17.04.2019
kkm



HON'BLE SRI JUSTICE P.NAVEEN RAO



WRIT PETITION NO.7891 OF 2019

Date: 17.04.2019

kkm