

HON'BLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION No.8634 of 2019

ORDER :

This Writ Petition is filed seeking Mandamus to declare the impugned SMS dt.07.09.2018 whereby the respondents have denied supplying electricity to the petitioners Home bearing No.6-3-252/37/64, Ramakrishna Nagar, Erramanzil Colony, Khairatabad, even one month has been elapsed from the date of making application on the pretext that he did not furnish the Registration deed etc., would amount to violation of Section 43 of the Electricity Act and violation of Articles 14 and 21 of the Constitution of India and forcibly continuing the petitioner to live in darkness and discard the above SMS by treating it as illegal, unfair and adversely affects the children welfare and education and consequently direct the respondents to forthwith supply electricity to the above premises by considering the Indemnity Bond furnished by the petitioner and continue to supply electricity to the above premises uninterruptedly.

The only grievance of the petitioner is that despite complying with all the formalities required for the supply of electricity to the above said premises, the respondents have not provided the same and by way of SMS dt.07.09.2018, the

petitioner has been informed that his request for power supply is rejected.

Heard learned counsel for the petitioner and Sri R. Vinod Reddy, learned Standing Counsel for Telangana State Southern Power Distribution Corporation Limited, appearing for the respondents.

The learned Standing Counsel for the respondents Corporation submits that since the petitioner has not complied with the formalities required for the supply of electricity to his premises, his application was not considered and the same has been rejected.

However, learned counsel for the petitioner has drawn the attention of this Court to the provisions of Section 43 of the Electricity Act, 2003, as per which the applicant should either furnish the documents regarding his ownership of the subject premises or he should be an occupier of the said premises. Since the petitioner has filed proof of his stay in the subject hut bearing No.6-3-252/37/64, Ramakrishna Nagar, Erramanzil Colony, Khairatabad, by way of filing copies of Aadhar Card and Gas connection, he is entitled for supply of electricity to his premises.

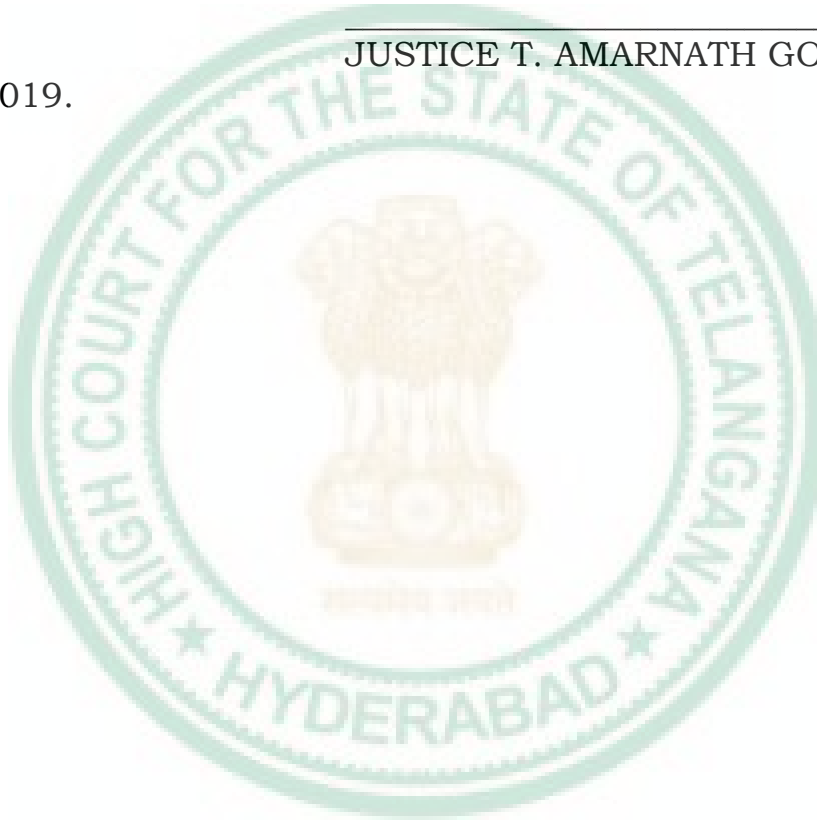
For the aforesaid reasons, this writ petition is disposed of directing the respondents to consider the application of the petitioner for supply of electricity to the subject hut bearing

No.6-3-252/37/64, Ramakrishna Nagar, Erramanzil Colony, Khairatabad, provided there is no objection from any authority and pass appropriate orders in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

25.04.2019.
Msr

JUSTICE T. AMARNATH GOUD



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Msr