

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.14085 OF 2019

ORDER

Petitioner is a pharmaceutical company, and as per the averments made in the affidavit filed in support of the writ petition, it entered into agreement dated 11.12.2014 with the respondent - Southern Power Distribution Company of TS Limited (TSSPDCL) for supply of power with CMD 1500 KVA each, for the first and second phases, through 33 KV dedicated feeder, and accordingly the supply of power for the first phase 33 KV dedicated feeder, was released on 16.11.2014, and it has been paying bills regularly. The tariff for supply of power at 33 KV, as determined from time to time for the H.T. I(A) category by the Telangana State Electricity Regulatory Commission (TSERC) as per the provisions of Electricity Act, 2003, is Rs.6.15 per unit, and for supply of power at 11 KV, the tariff was fixed at Rs.6.65 ps. per unit. In the month of May, 2019, it was issued with electricity consumption bill for an amount of Rs.38,68,782/-, charging Rs.6.15 ps, per unit, as determined by TSERC, but subsequently, it has been issued with a revised bill for the month of May, 2019, demanding to pay an amount of Rs.41,36,835/- charging tariff at the rate of Rs.6.65 ps per unit, which is applicable to 11 KV category. The petitioner paid the differential amount in the bill under protest, and made representation dated 29.06.2019 to the 1st respondent – TSSPDCL, represented by its Managing Director, seeking to withdraw the revised demand, but there was no response, and again in the month of June, 2019, it was issued with bill levying energy tariff at Rs.6.65 ps. per unit. Aggrieved by the action of the respondents in issuing bills charging the tariff at Rs.6.65 ps per unit, though it is liable to pay energy charges at Rs.6.15 ps. per unit as per the tariff determined by TSERC for the power supply at 33 KV, the present writ petition is filed.

Heard the learned counsel for the petitioner, who reiterated the above averments made in the writ affidavit.

Sri R.Vinod Reddy, learned Standing Counsel appearing for the respondent – company submitted that the respondents would consider the grievance of the petitioner made through representation dated 29.06.2019 with regard to levying of tariff charges, and take appropriate action in accordance with law.

Having regard to the facts and circumstances of the case and the submissions of the learned counsel, respondents / competent authority, shall consider the representation of the petitioner dated 29.06.2019, and after providing opportunity of hearing, shall pass appropriate orders in accordance with law with regard to tariff that is applicable to the petitioner. Till then, no coercive steps shall be taken, and the petitioner shall be charged as per the tariff fixed by TSERC for 33 KV, and it needless to observe that petitioner shall continue to pay such bills regularly. However, such payment shall be subject to the decision to be taken in this regard.

A.RAJASHEKER REDDY,J

DATE:10—07—2019

AVS