

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No. 20250 of 2019**

**ORDER:**

In this writ petition, petitioner challenges notice, dated nil.. issued by respondent No.3-Assistant Divisional Engineer, Operation, Sub-Division, TSSPDCL, Nalgonda Rural stating that disconnection of his service connection would be effected.

The petitioner asserts that he has entered a rental agreement with respondent No.5 with respect to the premises in question; that on an earlier occasion, when disconnection was effected at the instance of respondent No.5, he filed W.P.No.44602 of 2018 and this Court disposed of the same *vide* order dated 01.08.2019 by giving liberty to the respondents to follow due process after issuing notice to the petitioner and respondent No.5; that once again, the present impugned notice is issued with *mala fide* intention at the instance of respondent No.5 and that he is in possession and enjoyment of the premises in question by virtue of the rental agreement, dated 03.03.2018.

Heard learned counsel for the petitioner.

Learned counsel for respondent No.5 while denying that there is no rental agreement between the petitioner and respondent No.5 and that the rental agreement which is produced before this Court is a fabricated one by forging the signature of respondent No.5, submits that there are civil disputes between respondent No.5 and her sisters and that the service connection is in the name of

respondent No.5 and she being the consumer as defined under Section 215 of the Electricity Act, 2003, sought disconnection of power supply as she does not wish to continue the same.

Inasmuch as respondent No.5 is a consumer, there are civil disputes between the petitioner and respondent No.5 and if respondent No.5 does not wish to continue with the power supply to the subject premises, it would be open for her to seek disconnection of the same.

Subject to the above, the writ petition is closed. However, this order does not preclude the petitioner from availing appropriate remedies, including disconnection of power supply, subject to his rights in the premises in question to which, service connection exists.

Miscellaneous Petitions, if any pending, shall stand closed. There shall be no order as to costs.

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**CHALLA KODANDA RAM, J**

Dt:28.11.2019

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