

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.22623 OF 2019

O R D E R

On the ground that the electric meter installed to the water plant of the petitioner was not functioning correctly and is recording less energy than the energy consumed, the 3rd respondent – Telangana State Southern Power Distribution corporation Ltd., represented by its Assistant Divisional Engineer, vide the impugned Lr.No.ADE/OP/CUPL/F.NO.PAO/D.NO.175/19 dated 15.05.2019, provisionally assessed the amount payable by the petitioner as Rs.3,53,513/-, and required the petitioner to pay fifty per cent of the said amount i.e., Rs.1,76,757/-, if he wishes to have continuance supply of electricity within seven days of receipt of said letter, and that if the total assessed amount is paid, recovery proceedings will be closed. It is further stated that if the petitioner is not agreeable for the assessment, he is given liberty to make representation to the Divisional Engineer, Operation, Choutappal within 15 days from the date of service of letter, within a default clause. Aggrieved by the letter dated 15.05.2019, the present writ petition is filed.

Learned counsel for the petitioner while denying the allegation that the service meter provided to the petitioner is not functioning properly and thereby recording less consumption, submitted that though the petitioner filed explanation on 6.6.2019 to the authority mentioned in the impugned letter dated 15.05.2019, without considering the same, the power supply has been disconnected, and this amounts to violation of principles of natural justice.

Heard Sri R.Vinod Reddy, learned Standing Counsel for the respondents.

Admittedly, as per the impugned letter, liberty is given to the petitioner to make representation if he is not agreeable to the provisional assessment, and the case of the petitioner is that he filed explanation on 06.06.2019 and without considering the same, power supply has been disconnected. Further, even as per the impugned letter, opportunity was given to the petitioner to pay fifty per cent of the provisionally assessed amount to have continuous power supply. Since the petitioner is complaining that without considering his explanation, power supply has been disconnected, the writ petition is disposed of directing the petitioner to pay one-fourth (1/4th) of the total provisionally assessed amount in the impugned letter dated 15.05.2019, and immediately on such payment, the power supply to the service connection of the petitioner bearing No.1210401014, shall be restored.

The 2nd respondent – Divisional Engineer, shall consider the explanation of the petitioner stated to have been made on 06.06.2019, and after giving opportunity of hearing, shall pass appropriate orders in accordance with law.

It is made clear that the amount directed to be paid in this order, shall be subject to the outcome of the order to be passed by the 2nd respondent, as directed above.

Interlocutory applications pending, if any, shall stand closed.

A.RAJASHEKER REDDY,J

Date:17—10—2019

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