HIGH COURT FOR THE STATE OF TELANGANA
(Special Original Jurisdiction)

FRIDAY ,THE NINETEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 8671 OF 2020

Between:

Mohd. Habeebuddin, S/o.Mohd Haji Mastan, aged about 60 years, Occ. Private Service, R/o. H.No.8-4-369/124, Borabanda, Banjaranagar, Hyderabad.

...PETITIONER

AND

1. Telangana State Southern Power Distribution Corporation Limited, Vidyuth Soudha, Somajiguda, Hyderabad Rep. by its. Chairman-cum-Managing Director.
2. The Superintending Engineer, Telangana State Southern Power Distribution Corporation Limited, Vidyuth Soudha, Somajiguda, Hyderabad.
3. The Divisional Engineer, Telangana State Southern Power Distribution Corporation Limited, Vidyuth Soudha, Kukatpily, Hyderabad.
4. The Asst. Divisional Engineer, Telangana State Southern Power Distribution Corporation Limited, Ayyappa Society, Madhapur, Hyderabad.
5. Greater Hyderabad Municipal Corporation, Hyderabad Circle, Tank Bund, Rep. by its Commissioner.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not receiving the application form and not releasing the power supply to the petitioner House Bearing Plot Nos.782A, 783 and 784 in Sy.No.11/29 and 11/32, part of Sy.No.11 situated at Khanamet Village Serilingampally Mandal, Ranga Reddy District as illegal, null, void, arbitrary and consequently direct the respondents to release the power supply without being influenced by the instructions of the 5th respondent.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents 1 to 4 to. receive the application form and release the power supply to the petitioner House Bearing Plot Nos.782A, 783 and 784 in Sy.No.11/29 and 11/32, part of Sy.No.11, situated at Khanamet Village Serilingampally Mandal, Ranga Reddy District.

Counsel for the Petitioner:SRI. HARI KISHAN KUDIKALA

Counsel for the Respondent Nos. 1 to 4: SRI.R . VINOD REDDY, SC FOR TSSPDCL

Counsel for the Respondent No. 5: SRI. SAMPATH PRABHAKAR REDDY, SC FOR GHMC

The Court made the following:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION No.8671 OF 2020

ORDER:

This Writ Petition is filed for the following relief:

> "...to issue an appropriate writ, order direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not receiving the application form and releasing the power supply to the petitioner house bearing Plot Nos. 782A, 783, and 784 in Survey No.11/29 and 11/32, Part of Survey No.11, situated at Khanamet Village, Serilingampally Mandal, Ranga Reddy District, as illegal, null, void, arbitrary and consequently direct the respondents to release the power supply without being influenced by the instructions of the 5th respondent..."

2. When the matter is taken up, it is submitted by the learned counsel for the petitioner that the issue raised in the present Writ Petition is squarely covered by the order dated 26.07.2018 passed by this Court in W.P.No.26085 of 2018.

3. Sri R.Vinod Reddy, learned Standing Counsel for Telangana State Southern Power Distribution Company Limited, appearing for respondent Nos.1 to 4 and Sri Sampath Prabhakar Reddy, learned Standing Counsel for Grater Hyderabad Municipal Corporation, appearing for respondent No.5, do not dispute the aforesaid submission.

4. In view of the above, for the reasons alike in the said order, this Writ Petition is disposed of directing the respondents to release power supply to the premises of the petitioner subject to the compliance of the terms and conditions and on furnishing an undertaking to produce the occupancy certificate fro the concerned Municipal Corporation within a prescribed period, and if no such

occupancy certificate is produced within such period, it is open to the respondents to take appropriate action in accordance with law. Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

SD/-K.AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman-cum-Managing Director, Telangana State Southern Power Distribution Corporation Limited, Vidyuth Soudha, Somajiguda, Hyderabad.
2. The Superintending Engineer, Telangana State Southern Power Distribution Corporation Limited, Vidyuth Soudha, Somajiguda, Hyderabad.
3. The Divisional Engineer, Telangana State Southern Power Distribution Corporation Limited, Vidyuth Soudha, Kukatplly, Hyderabad.
4. The Asst. Divisional Engineer, Telangana State Southern Power Distribution Corporation Limited, Ayyappa Society, Madhapur, Hyderabad.
5. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad Circle, Tank Bund.
6. One CC to Sri. Hari Kishan Kudikala, Advocate (OPUC)
7. One CC to Sri. R. Vinod Reddy, SC for TSSPDCL (OPUC)
8. One CC to Sri. Sampath Prabhakar Reddy, SC for GHMC (OPUC)
9. Two CD Copies.

(along with a copy of order dated 26/07/2018 in WP.No. 26085 of 2018)

PM

HIGH COURT

DATED:19/06/2020

ORDER

WP.No.8671 of 2020



Disposing of the WP
Without costs.

(10) Copies

26/6/20

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.26085 of 2018

O R D E R:

Heard counsel for the petitioner, Sri R. Vinod Reddy, Standing Counsel for Telangana State Southern Power Distribution Corporation Limited, appearing for respondents 1 to 3, and Sri L.Venkateshwar Rao, Standing Counsel for Greater Hyderabad Municipal Corporation, appearing for 4th respondent.

2. It is stated by learned counsel appearing for the petitioner as well as Sri R.Vinod Reddy, Standing counsel appearing for respondent Nos.1 to 3 that the issue in this Writ Petition is covered by the order of this Court dt.23.03.2018 in W.P.No.9789 of 2018.

3. Therefore for reasons alike, this Writ Petition is also disposed of with a direction to the respondents to release the power supply to the premises of the petitioner subject to the compliance of the terms and conditions and on furnishing an undertaking to produce the occupancy certificate from the concerned Municipal Corporation within a prescribed period, and if no such occupancy certificate is produced within such period, it is open to the respondents to take appropriate action in accordance with law. There shall be no order as to costs

4. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

M.S.RAMACHANDRA RAO, J

26th July, 2018.

gra