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

TUESDAY, THE TWENTY FIFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 13715 OF 2020

Between:

M/s. Concrete Infra Projects India Pvt. Ltd., Rep. By its Director A.Anil Kumar Reddy, S/o Sri A. Jayarami Reddy, aged about 47 years, Occ. Business, O/o. H.No.8-1-284/393, 1st Floor, O.U.Colony, Shaikpet, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Power and Energy Department, Secretariat, Hyderabad-500022
2. Southern Power Distribution Company Ltd., of Telangana Rep. by its Chairman and Managing Director, Mint Compound, Hyderabad.
3. Southern Power Distribution Company Ltd., of Telangana Rep., by The Chief General Manager (Operation) Medchal Zone, Hyderabad.
4. Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Tank Bund Hyderabad

...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 an appropriate Writ, order or direction more particularly one in the nature of Writ Mandamus declaring the action of the Respondents in not releasing the power supply to the Petitioners buildings at premises bearing property admeasuring 2977.82 sq yards in Sy.No.163 and 2967.81 sq yards in Sy.No.118, situated at Hafeezpet Village, Madinaguda, Serilingampally Mandal, Ranga Reddy District, as illegal, null, void, arbitrary and consequently direct the respondents to release the power supply without insisting for occupancy certificate.

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 2nd and 3rd Respondents to release the power supply to the Petitioners buildings at premises bearing property admeasuring 2977.82 sq yards in Sy.No.163 and 2967.81 sq yards in Sy.No.118, situated at Hafeezpet Village, Madinaguda, Serilingampally Mandal, Ranga Reddy District.

Counsel for the Petitioner: SRI HARI KISHAN KUDIKALA

Counsel for the Respondent No.1: GP FOR ENERGY

Counsel for the Respondent No.2 & 3: SRI R. VINOD REDDY, S.C. FOR TRANSCO

Counsel for the Respondent No.4: SRI SAMPATH PRABHAKAR REDDY, S.C. FOR G.H.M.C.

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION No.13715 OF 2020

ORAL ORDER:

This writ petition is being disposed of at the admission stage with the consent of both parties.

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 20.04.2020 passed by this Court in W.P. No.6030 of 2020.

3. Learned Government Pleader for Energy appearing on behalf of respondent No.1, Mr. R. Vinod Reddy, learned Standing Counsel for Telangana State Southern Power Distribution Company Limited appearing on behalf of respondent Nos.2 and 3 and Mr. Sampath Prabhakar Reddy, learned Standing Counsel for Greater Hyderabad Municipal Corporation appearing on behalf of respondent No.4, 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 terms and conditions and on furnishing an undertaking to produce occupancy certificate from the Greater Hyderabad Municipal Corporation (GHMC) within a period of six (06) months, 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. However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending in the main writ petition shall stand closed.

SD/- K.MURALI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Power and Energy Department, State of Telangana, Secretariat, Hyderabad-500022
2. The Chairman and Managing Director, Southern Power Distribution Company Ltd. of Telangana, Mint Compound, Hyderabad.
3. The Chief General Manager (Operation), Southern Power Distribution Company Ltd. of Telangana Medchal Zone, Hyderabad.
4. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Hyderabad
5. One CC to Sri Hari Kishan Kudikala, Advocate [OPUC]
6. Two CCs to GP for Energy, High Court for the State of Telangana. [OUT]
7. One CC to Sri R. Vinod Reddy, S.C. for TRANSCO [OPUC]
8. One CC to Sri Sampath Prabhakar Reddy, S.C. for G.H.M.C. [OPUC]
9. Two CD Copies.

(Along with a Copy of the Order dated 20.04.2020 in W.P.No.6030 of 2020)

MP

HIGH COURT

DATED:25/08/2020

ORDER

WP.No.13715 of 2020



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(11) 31/8/20

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION No.6030 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 releasing the power supply to the petitioner building at premises bearing Plot Nos.400 and 401 admeasuring 480 sq. yards in Sy.Nos.28, 29 & 30, situated at Bachupally Village and Gram Panchayat, Bachupally Mandal, Medchal-Malkajgiri District, as illegal, null, void, arbitrary and consequently direct the respondents to release the power supply without insisting for occupancy certificate..."

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 3 and Sri Chatla Madhu, learned Standing Counsel for Grater Hyderabad Municipal Corporation, appearing for respondent No.4, 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.

K.LAKSHMAN, J

Date: 20.04.2020
Note: Registry to annex copy of
the order dated 26.07.2018 in
W.P.No.26085 of 2018.
B/o. TJMR