

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

MONDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION NO: 20231 OF 2020

Between:

M/s. Ananya Infra and M/s. Ayushe Constructions, Rep. by its Partner Sirish Chandra Kolli S/o. Murali Krishna Murthy Koli, Aged about 36 years, Occ. Business, R/o. Plot No.52, Jai Bharath Nagar, Nizampet Road, Kukatpally 500 085, Telangana State.

...PETITIONER

AND

1. The State of Telangana, Rep. By its Principal Secretary, Power and Energy Department, Secretariat, Hyderabad -500 022.
2. Southern Power Distribution Company of Telangana State Ltd, Rep. by its Superintending Engineer (Operation), Medchal Zone, having its Corporate office at Mint Compound, Hyderabad.
3. Southern Power Distribution Company Ltd, Rep. by its Assistant Divisional Engineer (Operation), Jeedimetla Sub Division, Medchal Circle, Gunrock, Secunderabad, TSSPDCL, Medchal.
4. Grama Panchayat Office, Rep. by its Panchayat Officer, Mallampet, Quthubullapur Mandal, Medchal District.
5. The Greater Hyderabad Municipal Corporation, rep. by its Commissioner, circle XXV, Qutubullapur.

(R-5 is impleaded as per Court Order, dated 07.12.2020 in I.A.No.2 of 2020.)

...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 directing the respondents 1 to 4 to provide electricity connection to building of the petitioner's Plot No. 422, total admeasuring 267.00 Sq.yards or 223.21 Sq. meters in Survey No.21/A, Block "B" situated at Mallampet Village, Gram Panchayat Dundigal Village and Dundigal-Gandimaisamma Mandal, Medchal-Malkajgiri District (previously Ranga Reddy District), Telangana, Bounded by North: Plot No. 423, South: Plot No 421, East: 40' Wide Road, West: Plot No.437 without insisting upon Occupancy Certificate from the 4th respondent by holding that the refusal to provide electricity connection to the above referred premises as illegal and arbitrary.

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 to provide electricity connection to building of the petitioners Plot No. 422, total admeasuring 267.00 Sq.yards or 223.21 Sq. meters in Survey No. 21/A, Block "B" situated at Mallampet Gram Panchayat Dundigal Village and Dundigal Gandimaisamma Mandal, Medchal- Malkajgiri District (previously Ranga Reddy District), Telangana, Bounded by North: Plot No. 423, South: Plot No 421, East: 40'-0" Wide Road, West: Plot No.437, without insisting upon Occupancy Certificate from the 4th respondent by holding that the refusal to provide electricity connection to the above referred premises, pending disposal of the main writ petition.

Counsel for the Petitioner: SRI. G. SANGEETHA

Counsel for the Respondent No.1: GP FOR ENERGY

Counsel for the Respondent Nos.2 & 3: SRI R. VINOD REDDY, SC FOR TSSPDCL

**Counsel for the Respondent No.4: SRI N. PRAVEEN KUMAR,
SC FOR MUNICIPALITIES**

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

The Court at the stage of admission made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.20231 of 2020

ORDER:

Heard the learned counsel for the petitioner, learned Government Pleader for Energy appearing for respondent No.1, Sri R.Vinod Reddy, learned Standing Counsel appearing for respondent Nos.2 and 3, Sri G. Narender Reddy, learned Standing Counsel for Gram Panchayat appearing for respondent No.4 and Sri Sampath Prabhakar Reddy, learned Standing Counsel for GHMC appearing for respondent No.5. With their consent, the Writ Petition is disposed of at the stage of admission itself.

When the matter is taken up for hearing, the learned counsel for the petitioner has submitted that the issue raised in the present writ petition is squarely covered by the orders passed this Court in W.P.No.26085 of 2018, dated 26.07.2018, and W.P.No.6030 of 2020, dated 20.04.2020.

The above said submission is not disputed by the learned Standing Counsels appearing for the respondents herein.

In view of the same and for the reasons alike in the order dated 26.07.2018, passed in W.P.No.26085 of 2018, the present Writ Petition is disposed of directing the respondents to release the power supply to the premises of the petitioner, subject to compliance of the terms and conditions and on furnishing an undertaking to produce the Occupancy Certificate from the concerned Gram Panchayat/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.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

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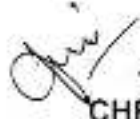
SECTION OFFICER

To,

1. The Principal Secretary, Power and Energy Department, State of Telangana Secretariat, Hyderabad -500 022.
2. The Superintending Engineer (Operation), Southern Power Distribution Company of Telangana State Ltd., Medchal Zone, having its Corporate office at Mint Compound, Hyderabad.
3. The Assistant Divisional Engineer (Operation), Southern Power Distribution Company Ltd., Jeedimetla Sub Division, Medchal Circle, Gunrock, Secunderabad, TSSPDCL, Medchal.
4. The Panchayat Officer, Grama Panchayat Office, Mallampet, Quthubullapur Mandal, Medchal District.
5. One CC to Sri G. Sangeetha, Advocate [OPUC]
6. Two CCs to GP for Energy, High Court for the State of Telangana at Hyderabad, [OUT]
7. One CC to Sri R. Vinod Reddy, SC FOR TSSPDCL [OPUC]
8. One CC to Sri N. Praveen Kumar, SC for Municipalities [OPUC]
9. One CC to Sri Sampath Prabhakar Reddy, SC FOR GHMC [OPUC]

(Along with a copy of order dated 26.07.2018 in W.P.No.26085 of 2018.)

10. Two CD Copies


CHR

HIGH COURT

DATED:07/12/2020

ORDER

W.P.No.20231 of 2020



DISPOSING OF THE WRIT PETITION
AT THE STAGE OF ADMISSION
WITHOUT COSTS

SSV
12 copies
Dt- 15/12/2020

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

WRIT PETITION No.26085 of 2018

ORDER:

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.

26th July, 2018.

gra

M.S.RAMACHANDRA RAO, J