

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE SEVENTH DAY OF DECEMBER TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

IA No. 1 OF 2020

IN

WP NO: 22211 OF 2020

Between:

Sagar Cements Ltd, Plot No.111, Rd.No.10, Jubilee Hills, Hyderabad-500033. Rep. by its Authorised Signatory Sri G. Ram Reddy, S/o. Venkata Appa Reddy, Aged about 60 years, R/o. Hyderabad.

Unit at: Mattampally (V and M), Suryapet Dist., Telangana-508204. HT.Sc.No.SPT131

...Petitioner

(Petitioner in WP 22211 OF 2020
on the file of High Court)

AND

1. Southern Power Distribution Company of Telangana Ltd and 2 others, represented by its Managing Director, #6-1-50, Mint Compound, Hyderabad-500063. Represented by its Chairman and Managing Director
2. The Chief General Manager (Revenue), TSSPDCL, Corporate Office, Hyderabad.
3. M/s. Sagar Power Ltd, #8-226, Canal Road, Ravulapalem, East Godavari Dist. Andhra Pradesh -533238.

...Respondents

(Respondents in-do-)

Counsel for the Petitioner

:SRI CHALLA GUNARANJAN

Counsel for the Respondents 1 & 2

:SRI R VINOD REDDY (S.C.)

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 and 2 not to take any coercive steps including that of disconnection of power supply of the Petitioner's service Connection number HT.SC.No.SPT131, pursuant to the Letter No. Lr.CGM(Rev)/GM(R)/SAO(R)/AO(HT)/AAO/JAO/ D.No.241/20, Dt.10/11/2020, pending disposal of WP No. 22211 of 2020, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

A learned Single Judge of this Court in I.A.No.1 of 2020 in W.P.No.12372 of 2020, dated 10.08.2020, following the Division Bench Order in I.A.No.1 of 2020 in W.P.No.11735 of 2020, has granted interim orders on the ground that there is no privity of contract between the petitioner and the Superintending Engineer, Operation Circle, Suryapet, TSSPDCL/2nd respondent. The facts in the present case are also similar to the facts in the above mentioned writ petitions.

In view of the same, this Court is of the *prima facie* opinion that there is no privity of contract between the petitioner and the 2nd respondent, and there is no adjudication of the differential wheeling charges by any authority, and therefore, there shall be an interim direction, as prayed for.

Sd/- H. VENKAYAH
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Managing Director, Southern Power Distribution Company of Telangana Ltd, #6-1-50, Mint Compound, Hyderabad-500063. Represented by its Chairman and Managing Director
2. The Chief General Manager (Revenue), TSSPDCL, Corporate Office, Hyderabad.
3. M/s. Sagar Power Ltd, #8-225, Canal Road, Ravulapalem, East Godavari Dist. Andhra Pradesh -533238. (1 to 3 by road)
4. One CC to SRI. CHALLA GUNARANJAN Advocate [OPUC]
5. One spare copy

HIGH COURT

AARJ

DATED:07/12/2020

ORDER

IA.NO.1 OF 2020

IN

WP.No.22211 OF 2020

INTERIM DIRECTION



A handwritten signature in black ink, consisting of a series of loops and a long, sweeping tail that extends towards the bottom right of the page.