HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY ,THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 23510 OF 2020

Between:

Guntaka Mohan, S/o. G. Rajan, Age 72 years, Occ Business R/o. 1-8-701/2 Padma Colony, Nallakunta, Hyderabad.

...PETITIONER

AND

1. The Southern Power Distribution Company of Telangana State Ltd., Rep. by its Chairman and Managing Director having its Corporate office at 6-1-50, Mint Compound, Hyderabad 5000063.
2. The Superintending Engineer Operation, GHYD Central Circle TSSPDCL, Hyderabad.
3. The Assistant Divisional Engineer (OP), Barkathpura Sub Division SE/OP/GHYD Central Circle Section AE Shankermutt-59 TSSPDCL HYDERABAD.
4. The Greater Hyderabad Municipal Corporation, Rep. by the Commissioner, Near 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 it a writ order or direction more particularly one in the nature of WRIT OF MANDAMUS directing the respondents 1 to 3 to provide electricity connection to the H.No.1-8-701/2/1 and 1-8-701/2/3 and 1-8-701/2/5 and 6 on Plot No.3 admeasuring 720 Sq.yards or 601.92 Sq.mtrs with a plinth area of 3360 Sq.ft (ground floor) with plinth area of 3030 Sft on 15 floor and 3030 Sft in 2nd floor situated at Padmanagar Colony under Municipal Corporation of Hyderabad registration district Hyderabad Sub District Chikkadpally and bounded by North 30 road, South Plot No.6 of B. Venkata Narasaiah (H.No.1-8-701), East Plot No.4 of G. Rajam (H.No.1-8-701/2), West Plot No. 2 of G. Krishnamurthy (H.No.1-8-701/3). With out insisting upon occupancy certificate from 4th respondent pending disposal of main writ petition and deem fit and proper in the circumstance of the case.

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 to the H.No.1-8-701/2/1 and 1-8-701/2/3 and 1-8-701/2/5 and 6 on Plot No.3 admeasuring 720 Sq.yards or 601.92 Sq.mtrs with a plinth area of 3360 Sq.ft (ground floor) with plinth area of 3030 Sft on 1st floor and 3030 Sft in 2nd floor situated at Padmanagar Colony under Municipal Corporation of Hyderabad registration district Hyderabad Sub District Chikkadpally and bounded by North 30 road, South Plot No.6 of B. Venkata Narasaiah (H.No.1-8-701), East Plot No.4 of G. Rajam (H.No.1-8-701/2) West Plot No. 2 of G. Krishnamurthy (H.No.1-8-701/3) Without insisting upon occupancy certificate from 4th respondent pending disposal of main writ petition and deem fit and proper in the circumstance of the case.

Counsel for the Petitioner: SMT. THAKUR ROOPA SINGH
Counsel for the Respondent Nos.1 to 3: SRI R.VINOD REDDY, SC FOR TSSPDCL
Counsel for the Respondent No.4: SRI PASHAM KRISHNA REDDY, SC FOR GHMC

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.23510 of 2020

ORDER:

Heard the learned counsel for the petitioner, Sri R.Vinod Reddy, the learned Standing Counsel appearing for respondent Nos.1 to 3, and the learned Standing Counsel appearing for respondent No.4. 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 by 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 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/-T.KRISHNA KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman and Managing Director, Southern Power Distribution Company of Telangana State Ltd, having its Corporate office at 6-1-50, Mint Compound, Hyderabad 5000063.
2. The Superintending Engineer Operation, GHYD Central Circle TSSPDCL, Hyderabad.
3. The Assistant Divisional Engineer (OP), Barkathpura Sub Division SE/OP/GHYD Central Circle Section AE Shankermutt-59 TSSPDCL HYDERABAD.
4. The Commissioner, Greater Hyderabad Municipal Corporation, Near Tank Bund, Hyderabad.
5. One CC to Smt. Thakur Roopa Singh, Advocate [OPUC]
6. One CC to Sri R.Vinod Reddy, SC for TSSPDCL, Advocate [OPUC]
7. One CC to Sri Pasham Krishna Reddy, SC for GHMC, Advocate [OPUC]
8. Two CD Copies

(Along with a copy of order dt:26/07/2018 in W.P.No.26085 of 2018)

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HIGH COURT

DATED:22/12/2020

ORDER

WP.No.23510 of 2020



DISPOSING OF THE WP

WITHOUT COSTS

(9)
29/12/20

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.

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