

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.23746 OF 2019

ORDER:

Heard the learned counsel for the petitioner and the learned Standing counsel for respondents 1 to 3, Sri A.A.Santosh Kumar, learned counsel for the 4th respondent.

This writ petition is filed seeking the following relief :-

“.....mandamus thereby declaring the inaction of the Respondents No.2 and 3 herein on the representations dt.16.09.2019 and 03.10.2019 made by the petitioner, as illegal, arbitrary and against the principles of natural justice and consequently directing the Respondent Nos.2 and 3 herein to cancel the electricity meter connection bearing No.337/1258 (3884394) issued in the month of May, 2019 on the name of the Respondent No.4 by removing the same from my plot bearing No.G-36 on a land admeasuring 182 Sq.Yards or 152.76 Sq.meters in Sy.No.Village, Gajularamaram circle, GHMC, Qutubullapur Mandal, Medchal-Malkajgiri District, and to pass such other order or orders.....”

It has been contended by the petitioner that the respondents have granted electricity connection to his premises at the behest of the 4th respondent.

Learned counsel for the petitioner contends that the 4th respondent has no authority to squat on the property of the petitioner and obtain electricity connection. Therefore, petitioner had submitted a representation to the respondents to disconnect the power supply to the 4th respondent, as the 4th respondent is not the owner and possessor of the subject property.

Learned counsel for the 4th respondent had contended that the 4th respondent has become the owner of the subject property by agreement of sale and petitioner himself has delivered the possession in favour of the 4th respondent. Basing upon the said agreement of sale, the 4th respondent has obtained electricity connection. Therefore, he contends that there are no merits in the writ petition and the same is liable to be dismissed.

Learned Standing counsel appearing for respondents 1 to 3 contends that the case of the petitioner as well as the 4th respondent would be examined by the authorities, if only the petitioner and 4th respondent submit their respective representations to the official respondents and pass appropriate orders in accordance with law.

Learned counsel appearing for the petitioner as well as the 4th respondent in principle agreed to submit respective representations to the authorities and further contend that let the official respondents adjudicate the case basing on the material submitted by them.

This Court, having considered the rival submissions of the learned counsel appearing for the respective parties, is of the considered view that this writ petition can be disposed of directing the petitioner as well as the 4th respondent to submit respective representations along with the relevant documents to the official respondents within two weeks from the date of receipt of a copy of this order and upon receipt of such representations, the official respondents shall consider the same

and pass appropriate orders in accordance with law in another eight (08) weeks thereafter.

With the above direction, this writ petition is disposed of.
No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 11-02-2020
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