

HONOURABLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.28371 of 2021

ORDER:

This Writ Petition is filed questioning the action of the respondents in not granting electricity connection to the petitioners' property situated at Gudimalkapur, Hyderabad and Aziz Nagar Grampanchayat and Taluq, Chevella, Ranga Reddy District and insisting the petitioners for production of legal heir certificate.

2. Heard learned counsel for the petitioners, learned Government Pleader for Energy appearing for 1st respondent, and Sri R.Vinod Reddy, learned Standing Counsel appearing for respondents 2 & 3.

3. Petitioners contend that the husband of the 1st petitioner, namely Kolly Naga Bhushanam, is the owner and possessor of i) plot admeasuring 121.7 situated at Gudimalkapur, Hyderabad and ii) land admeasuring Acs.3.01 guntas in Sy.No.177/2 situated at Aziz Nagar Grampanchayat, Chevella, Ranga Reddy District; that the husband of the 1st petitioner died on 09.08.2011, and petitioners 2 & 3 are the sons of deceased-Kolly Naga Bhushanam and 1st petitioner, and as such all the three petitioners are entitled to the estate of the deceased-husband of the 1st petitioner.

4. It is further contended that there is no dispute or claim, whatsoever, in respect of the above said properties and the

relationship of the petitioners with the deceased stands established in various records issued by the authorities of both the Central and State governments, and as such respondents insisting for production of legal heir certificate from a competent Civil Court, for providing electricity connection, is without any basis.

5. Sri R.Vinod Reddy, learned Standing Counsel appearing for respondents 2 and 3 fairly submits that if this Court were to direct the respondents-authorities to provide electricity connection in the name of the 1st petitioner by taking 'no objection' from petitioners No.2 and 3, the respondents-authorities would provide electricity connection to the above said properties. He however submits that providing electricity connection by the respondents to the above said properties cannot be claimed as creating any equities in favour of the petitioners in the event of any dispute being raised, thereby dragging the respondents into unnecessary litigation.

6. Having regard to the said submissions, since the 1st petitioner is no other than the wife of the original owner of the above said properties, respondents are directed to provide electricity connection to the above said properties in the name of the 1st petitioner, subject to the petitioners No.2 & 3 executing and filing No Objection Affidavit/Undertaking with the respondents for providing electricity connection in the name of their mother, namely 1st petitioner herein. It is made clear that petitioners cannot claim equities on account

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of provision of electricity connection by the respondents in pursuance of this order.

7. Subject to the above directions, this Writ Petition is disposed of. No order as to costs.

8. Consequently, miscellaneous petitions pending, if any, shall stand closed.

07th December, 2021

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T.VINOD KUMAR, J