

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION No.29704 OF 2021

ORDER:

Heard learned counsel for the petitioner, Sri R. Vinod Reddy, learned Standing Counsel for Telangana State Southern Power Distribution Corporation Limited, appearing for respondents 1 to 3 and Sri Sampath Prabhakar Reddy, learned Counsel appearing for respondent No.4.

2. It is stated by learned Counsel appearing for the petitioner as well as Sri R. Vinod Reddy, learned Standing Counsel appearing for respondent Nos.1 to 3 that the issue in this Writ Petition is covered by the order of this Court dated 23.03.2018 in W.P. No.9789 of 2018.

3. However, learned Standing Counsel submits that the petitioner building does not even have any municipal permission and if any such service connections are provided, their action would be called in question.

4. Petitioner contends that the subject premises was an old house and was having a service connection. Since, the old house was in a dilapidated condition, the same was demolished and in its place a new building consisting of G+6 floors was constructed for which it requires multiple metres numbering to 25 Nos. single phase and 1 No. 3-phase metre.

5. It is to be noted that this Court in number of cases as held that having electricity connection is a fundamental right and non-provision of the same by insisting for sanction of building

permission by the GHMC authorities would amount to violation of fundamental right of a citizen.

6. In view of the above, the respondents are directed 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. Further, it is also made clear that the petitioner cannot claim equities in any collateral proceedings on account of provision of power connection by the respondents, pursuant to the orders of this Court.

7. Subject to the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

(T. VINOD KUMAR, J)

Date: 01.12.2021.

MRKR

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