

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

(Special Original Jurisdiction)

**WEDNESDAY, THE THIRTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 18145 OF 2022

Between:

Ampala Anitha, W/o. A Padma Reddy, Aged about 46 Years, Occ. Housewife,
R/ o. Flat No. 101, Thirumala Residency, Street No. 7, HMT Nagar,
Nacharam, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Energy Department Secretariat building, Hyderabad
2. The Southern Power Distribution Company, Rep by its Chairman and Managing Director, Vidyuth Soudha, Somajiguda.
3. The Divisional Engineer, Habsiguda Division, Habsiguda, T.S.S.P.D.C.L. (Operations), Hyderabad.
4. The Assistant Engineer, Operations, Habsiguda, T.S.S.P.D.C.L., 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 an appropriate writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in disconnecting the electrical supply/ removing the electricity meter through letter No. AAE/OP/HBG/F.No. Consumer Letter / D No. 901/21 dated 15.03.2022 in Service Connection No. 130302251 situated at premises bearing No. 4-9-197/B68 Bapuji Nagar, HMT, Nacharam, Hyderabad is illegal, arbitrary, contrary to the agreement, evidence on record, violation of the principles of natural justice and as well as the fundamental rights guaranteed under the Constitution of India set aside the same consequently direct the respondents to restore the electrical connection by erecting the electricity service meter.

IA NO: 1 OF 2022

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 restore the power supply by fixing the electricity service meter through Service Connection No. 130302251 situated at premises bearing No. 4-9-197/B68 Bapuji Nagar, HMT, Nacharam, Hyderabad, by suspending the proceedings letter No. AAE/ OP/ HBG / F.No. Consumer Letter / D No. 901/21 dated 15.03.2022 forthwith pending disposal of the main writ petition.

Counsel for the Petitioner: SRI. A.JAGAN

Counsel for the Respondent No.1: GP FOR ENERGY

Counsel for the Respondent No's.2 to 4: SRI R.VINOD REDDY (SC FOR TSSPDCL)

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION No.18145 of 2022

ORDER:

Heard the learned counsel for the petitioner, the learned Government Pleader for Energy appearing for respondent No.1 and Sri R. Vinod Reddy, learned Standing Counsel for Telangana State Southern Power Distribution Company Limited appearing for respondent Nos.2 to 4. With their consent, the Writ Petition is disposed of at the stage of admission itself.

Questioning the letter, dated 15.03.2022 removing the electricity meter fixed in respect of the subject premises of the petitioner without putting her on notice, the petitioner has filed the present Writ Petition.

Having regard to the fact that the petitioner was not put on notice before removing the subject service connection and having regard to the judgment of the Division Bench of this Court in Writ Appeal No.269 of 2018 dated 22.02.2018, this Court is of the opinion that ends of justice would be met, if the impugned letter is set aside

and the matter is remanded back to the authority concerned for taking action afresh in accordance with law.

In view of the above, this Writ Petition is allowed by setting aside the impugned letter dated 15.03.2022 and the matter is remanded to the authority concerned for taking action afresh. The authority concerned is directed to take action strictly in accordance with law, duly putting the petitioner and any other interested parties on notice and considering the objections, if any. However, the official respondents are directed to restore the power supply to the subject premises of the petitioner, immediately.

The miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

//TRUE COPY//

SD/-K.AMMAJI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Energy Department, State of Telangana, Secretariat building, Hyderabad

--Confid--

2. The Chairman and Managing Director, The Southern Power Distribution Company, Vidyuth Soudha, Somajiguda
3. The Divisional Engineer, Habsiguda Division, Habsiguda, T.S.S.P.D.C.L. (Operations), Hyderabad.
4. The Assistant Engineer, Operations, Habsiguda, T.S.S.P.D.C.L., Hyderabad.
5. One CC to SRI. A.JAGAN Advocate [OPUC]
6. Two CCs to GP FOR ENERGY, High Court for the State of Telangana. [OUT]
7. One CC to SRI. R.VINOD REDDY(SC FOR TSSPDCL), Advocate [OPUC]
8. Two CD Copies.
9. One Spare Copy.

GB
NPJ

8
4

HIGH COURT

DATED:13/04/2022



ORDER

WP.No.18145 of 2022

**ALLOWING THE WP
WITHOUT COSTS.**

11 Copies

*Sm
2/7/22*

2