

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 20355 OF 2022

Between:

Ayadapu Prathap Reddy, S/o. Sathi Reddy, Aged about 54 yrs, Occ-
Business, R/o. H.No- 4-47, Choutuppal, Nalgonda District.

...PETITIONER

AND

1. The State of Telangana, Rep by its Principle Secretary, Energy Department, Secretariat, Hyderabad
2. The Chairman Cum Managing Director, O/O. Southern Power Distribution Company Of T.S. Ltd, Transco Building, Somajiguda, Hyderabad.
3. The Divisional Engineer, Operation, Office of Southern Power Distribution Company Telangana State Ltd, Saroor Nagar Division, T.S.S.P.D.C.L, Saroor Nagar, Ranga Reddy District.
4. The Greater Hyderabad Municipal Corporation, VI Floor, Municipal Office Complex, Tankbund Road, Hyderabad. Rep by its Commissioner.

...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 appropriate Writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS against the Respondents No.1 to 4 herein for their inaction and causing inconvenience to the newly constructed Apartment over the open land bearing Plot No.36, Admeasuring 487 Sq. yards or its equivalent to 407-18 Sq. Mtrs in Sy.Nos. 23, 45 and 28 Part, Ward No. 3, Block No.9, situated at Mansoorabad Village, Saroor Nagar Revenue Mandal, Ranga Reddy District, within the limits of LB Nagar Circle, GHMC, as illegal, arbitrary, against the principles of natural justice and consequently direct the respondent No.3 to release the power supply to the premises of the petitioner subject to the compliance of the terms and conditions of supply and on furnishing an undertaking

to produce the Occupancy Certificate from the respondent No.4 Municipal Corporation within a stipulated period.

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 respondent No.3 to release the power supply to the newly constructed Apartment over the land bearing Plot No.36, Admeasuring 487 Sq. yards or its equivalent to 407.18 Sq. Mtrs in Sy.Nos. 23, 45 & 28 Part, Ward No. 3, Block No.9, situated at Mansoorabad Village, Saroor Nagar Revenue Mandal, Ranga Reddy District, within the limits of LB Nagar Circle, GHMC, of the Petitioner subject to the compliance of the terms and conditions of supply and on furnishing an undertaking to produce the Occupancy Certificate from the respondent No.4 Municipal Corporation within a stipulated period.

Counsel for the Petitioner:SRI. GOLI VIPLAV REDDY

Counsel for the Respondent No.1: GP FOR ENERGY

Counsel for the Respondent No's 2& 3: SRI. R.VINOD REDDY (SC FOR TSSPDCL)

Counsel for the Respondent No.4: SRI. SAMPATH PRABHAKAR REDDY (SC FOR GHMC)

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.20355 of 2022

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Energy appearing for respondent No.1, Sri R. Vinod Reddy, learned Standing Counsel for Telangana State Southern Power Distribution Company Limited appearing for respondent Nos.2 and 3 and Sri Sampath Prabhakar Reddy, learned Standing Counsel appearing for respondent No.4. With their consent, the present Writ Petition is being disposed of at the stage of admission itself.

2) 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.

3) The above said submission is not disputed by the learned Standing Counsel appearing for the respondent Nos.2 & 3 and 4 herein.

4) In view of the above 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 subject premises of the petitioner, subject to compliance of the terms and conditions and on furnishing an undertaking to produce the occupancy certificate from the Municipal Corporation concerned, 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, this order does not preclude the official respondents from rejecting the application made by the petitioner, if it is found that the subject property is a vacant land and no structure is in existence.

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

SD/-T. TIRUMALA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principle Secretary, Energy Department, State of Telangana, Secretariat, Hyderabad
2. The Chairman Cum Managing Director, O/O. Southern Power Distribution Company Of T.S. Ltd, Transco Building, Somajiguda, Hyderabad.
3. The Divisional Engineer, Operation, Office of Southern Power Distribution Company Telangana State Ltd, Saroor Nagar Division, T.S.S.P.D.C.L, Saroor Nagar, Ranga Reddy District.
4. The Commissioner, Greater Hyderabad Municipal Corporation, VI Floor, Municipal Office Complex, Tankbund Road, Hyderabad.
5. One CC to SRI. GOLI VIPLAV REDDY 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. One CC to SRI. SAMPATH PRABHAKAR REDDY (SC FOR GHMC), Advocate [OPUC]

9. Two CD Copies.

10. One Spare Copy.

GB

(Along with Order Copy dt: 26/07/2018 in W.P.No. 26085 of 2018)

[Handwritten signature]

HIGH COURT

DATED:21/04/2022

ORDER

WP.No.20355 of 2022



**DISPOSING OF THE WP
WITHOUT COSTS.**

⑫ VW
12/5/22

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.26085 of 2018

ORDER:

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.

gra