

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

TUESDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 24321 OF 2022

Between:

Sri Sudharma Swamy Sthanakvasi Jain Trust, Rep by its Trustee
Swaroopchand Kothari S/o. Shri Laxmichand Kothari Age. 65 years Occ.
Business R/o. 3-4-1013/18, Rajendra Colony, Kachiguda, Hyderabad.

...PETITIONER

AND

1. The Southern Power Distribution Company of Telangana State Ltd. Rep. by its Chairman and Managing Director having its Corporate office at 6-1-50, Mint Compound, Hyderabad 500063.
2. The Superintending Engineer Operation, GHYD Central Circle TSSPDCL Hyderabad.
3. The Assistant Divisional Engineer(Tech) Operation, Barkatpura Sub-Division TSSPDCL
4. The Assistant Engineer SE/OP/GHYD, Central AE Barkatpura 77 TSSPDCL
5. The Greater Hyderabad Municipal Corporation, Rep. by the Commissioner, Near Tank Bund, 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 it a writ order or direction more particularly one in the nature of WRIT OF MANDAMUS directing the respondents 1 to 4 to provide electricity connection to the house property house bearing No. 3-4-1013/18, admeasuring 272 Sq.yds., situated at Veerannagutta, Kachiguda, Hyderabad and bounded by North. By Neighbours property South. By Neighbours property East. By Neighbours property West. By 25' wide road. Without insisting upon occupancy Certificate from the 5th respondent by holding that the refusal to provide electricity connection to the above referred premises as illegal and arbitrary.

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 1 to 4 to provide electricity connection to the house bearing No. 3-4-1013/18, admeasuring 272 Sq.yds., situated at Veerannagutta, Kachiguda, Hyderabad and bounded by North. By Neighbours property; South. By Neighbours property; East. By Neighbours property; West. By 25' wide road. Without insisting upon occupancy certificate from 5th respondent pending disposal of main writ petition.

Counsel for the Petitioner: SRI THAKUR ROOPA SINGH

**Counsel for the Respondent Nos. 1 to 4: SRI R. VINOD REDDY,
SC FOR TSSPDCL**

**Counsel for the Respondent No. 5: SRI PASHAM KRISHNA REDDY,
SC FOR GHMC**

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.24321 of 2022

ORDER:

Heard learned counsel for petitioner and Sri R. Vinod Reddy, learned Standing Counsel for Telangana State Southern Power Distribution Company Limited appearing for respondent Nos.1 to 3 and Sri Pasham Krishna 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 respondents.

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/-MOHD.SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman and Managing Director Southern Power Distribution Company of Telangana State Ltd, having its Corporate office at 6-1-50, Mint Compound, Hyderabad 500063.
2. The Superintending Engineer Operation, GHYD Central Circle TSSPDCL Hyderabad.
3. The Assistant Divisional Engineer(Tech) Operation, Barkatpura Sub-Division TSSPDCL
4. The Assistant Engineer SE/OP/GHYD, Central AE Barkatpura 77 TSSPDCL
5. The Commissioner, Greater Hyderabad Municipal Corporation, Near Tank Bund, Hyderabad.
6. One CC to SRI THAKUR ROOPA SINGH Advocate [OPUC]
7. One CC to SRI R. VINOD KUMAR, SC FOR TSSPDCL [OPUC]
8. One CC to SRI PASHAM KRISHNA REDDY, SC FOR GHMC [OPUC]
9. Two CD Copies
10. One Spare Copy.

(Along with order copy dated 26.07.2018 in W.P. No. 26085 of 2018)

NPJ

HIGH COURT

DATED:07/06/2022

ORDER

WP.No.24321 of 2022



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

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22/6/22
JN4

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.

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