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

WEDNESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 29957 OF 2022

Between:

Katari Kotaiah, S/o Sri Katari Ramaiah, aged about 55 years, Occ- Business, R/o H.No.5-32, M. Nidamaluru, Tangutur Mandal, Prakasam District

...PETITIONER

AND

1. Telangana State Southern Power Distribution Corporation Limited, Vidyuth Soudha, Somajiguda, Hyderabad Rep. by its Chairman-cum-Managing Director
2. The Superintending Engineer, Telangana State Southern Power Distribution Corporation Limited, Vidyuth Soudha, Somajiguda, Hyderabad.
3. The Divisional Engineer, Telangana State Southern Power Distribution Corporation Limited, Vidyuth Soudha, Kukatplly, Hyderabad.
4. The Asst. Divisional Engineer, Telangana State Southern Power Distribution Corporation Limited, Ayyappa Society, Madhapur, Hyderabad.
5. Greater Hyderabad Municipal Corporation, Hyderabad Circle, Tank Bund, 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 a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not receiving the application form and not releasing the power supply to the petitioner House Bearing Plot No.12, admeasuring 500 sq yards in Sy.No.11/31 (Part), Situated at Khanamet Village, Serilingampally Mandal, Ranga Reddy District as illegal, null, void, arbitrary and consequently direct the respondents to release the power supply without being influenced by the instructions of the 5th respondent.

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 receive the application form and release the power supply to the petitioner House Bearing Plot No.12. admeasuring 500 sq yards in Sy.No.11/31 (Part), Situated at Khanamet Village, Serilingampally Mandal, Ranga Reddy District.

Counsel for the Petitioner: SRI B. MANOJ KUMAR

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

Counsel for the Respondent No. 5: SRI SAMPATH PRABHAKAR REDDY, SC FOR GHMC

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.29957 OF 2022

ORDER:

This writ petition is filed for the following relief:

> "...to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not receiving the application form and not releasing the power supply to the petitioner house bearing Plot No.12, admeasuring 500 sq. yards in Sy.No.11/31 (Part) situated at Khanamet Village, Serilingampally Mandal, Ranga Reddy District, as illegal, null, void, arbitrary and consequently direct the respondents to release the power supply without being influenced by the instructions of the 5th respondent and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice."

2. When the matter is taken up for hearing, it is submitted by the learned counsel for petitioner that the issue raised in the present writ petition is squarely covered by the order dated 26.7.2018 passed by this Court in W.P.No.26085 of 2018.

3. Sri R. Vinod Reddy, learned Standing Counsel appearing for respondent Nos.1 to 4, and Sri Sampath Prabhakar Reddy, learned

Standing Counsel for Respondent No.5 – GHMC, did not dispute the aforesaid submission.

4. In view of the above, for the reasons alike in the said order, this writ petition is disposed of directing the respondents to release power supply to the premises of the petitioner subject to compliance of 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.

Pending miscellaneous applications, if any, shall stand closed. No costs.

SD/-T.KRISHNA KUMAR
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman-cum-Managing Director, Telangana State Southern Power Distribution Corporation Limited, Vidyuth Soudha, Somajiguda, Hyderabad.
2. The Superintending Engineer, Telangana State Southern Power Distribution Corporation Limited, Vidyuth Soudha, Somajiguda, Hyderabad.
3. The Divisional Engineer, Telangana State Southern Power Distribution Corporation Limited, Vidyuth Soudha, Kukatplly, Hyderabad.
4. The Asst. Divisional Engineer, Telangana State Southern Power Distribution Corporation Limited, Ayyappa Society, Madhapur, Hyderabad.
5. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad Circle, Tank Bund.
6. One CC to SRI B. MANOJ KUMAR Advocate [OPUC]
7. One CC to SRI R. VINOD REDDY, SC FOR TSSPDCL [OPUC]
8. One CC to SRI SAMPATH PRABHAKAR REDDY, SC FOR GHMC [OPUC]
9. Two CD Copies.
10. One Spare Copy.

NPJ

SW

HIGH COURT

DATED:20/07/2022

ORDER

WP.No.29957 of 2022

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS.