

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

WEDNESDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 36752 OF 2021

Between:

Uttam, S/o. Raghunath, Aged about 65 years, Occ. Business, R/o. H. No. 11-21-788, NTR Nagar, L.B. Nagar, Saroornagar, Ranga Reddy District.

...PETITIONER

AND

1. TSSPDCL Department, Rep. by its Chairman and Managing Director, Having office at Mint Compound, Khairatabad, Hyderabad, T.S.
2. The Divisional Engineer, Saroornagar, Hyderabad.
3. The Asst. Divisional Engineer, L.B. Nagar, Hyderabad.
4. The Asst. Engineer, Green Hills, 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 a writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No. 3 herein in issuing the provisional assessment notice for theft of electricity vide Lr. No. ADE/OPN/LBN/F,NO.TM./D. No. 2166/21-22, dated. 02.11.2021, thereby determining the loss of revenue to the tune of Rs. 63,039/-without following due process of law is as illegal, arbitrary and against the principles of Electricity Act, 2003 and consequently set aside the same, in the interest of justice.

IA NO: 1 OF 2021

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 herein to restore the Petitioner's electricity connection bearing

SC No. 1210-01400 at the premises bearing No. 11-21-788, situated at NTR Nagar, L.B. Nagar, Saroorngar, Ranga Reddy District, till disposal of the main Writ Petition, in the interest of justice.

Counsel for the Petitioner: SRI. M.A.MUJEEB

Counsel for the Respondents: SRI R.VINOD REDDY(SC FOR TSSPDCL)

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.36752 of 2021

ORDER:

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents. With their consent, the present Writ Petition is being disposed of at the stage of admission itself.

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 of this Court in W.P.No.7785 of 2019 dated 15.04.2019 and W.P.No.2884 of 2020 dated 13.02.2020.

The above said submission is not disputed by the learned Standing Counsel appearing for the respondents.

In view of the above, for the reasons alike in the order dated 15.04.2019 passed in W.P.No.7785 of 2019 and having regard to the fact that the petitioner belongs to a poor strata of the society and the photographs filed along with the writ petition shows that dwelling house of the petitioner is only one room covered by the asbestos sheets, the present Writ Petition is disposed of directing the respondents to provide reconnection

of power supply to the subject premises subject to the petitioner depositing Rs.20,000/- (Rupees Twenty Thousand only). If the petitioner complies with the directions of this Court and reconnection of power supply is provided, the respondents shall not demand the balance amount till the issue is decided under Section 154 of the Electricity Act, 2003. Reconnection and continuous supply of electricity depends on compliance of all other requirements.

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

SD/-G.SIREESHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman and Managing Director, TSSPDCL Department, Having office at Mint Compound, Khairatabad, Hyderabad, T.S.
2. The Divisional Engineer, Saroornagar, Hyderabad.
3. The Asst. Divisional Engineer, L.B. Nagar, Hyderabad.
4. The Asst. Engineer, Green Hills, Hyderabad.
5. One CC to SRI. M.A.MUJEEB Advocate [OPUC]
6. One CC to SRI. R.VINOD REDDY(SC FOR TSSPDCL), Advocate [OPUC]
7. Two CD Copies
8. One Spare Copy.

GB
BS

(Along with a copy of order in W.P.No.7785 of 2019, dated 15.04.2019.)



HIGH COURT

DATED:06/04/2022

ORDER

WP.No.36752 of 2021



DISPOSING OF THE WP
WITHOUT COSTS.

⑨ VLV
23/5/22