

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

(Special Original Jurisdiction)

MONDAY, THE THIRTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE
PRESENT

THE HONOURABLE SMT JUSTICE P.MADHAVI DEVI
WRIT PETITION NO: 2347 OF 2023

Between:

Vittal Rahul Bhargav, S/o Vittal Ravi, Occ. Business, r/o H.No. 1-9-296/A/9, Vidyanagar, Musheerabad, Hyderabad.

...PETITIONER

AND

1. Southern Power Distribution Company of Telangana Limited, rep. by its Chairman and Managing Director, having its Corporate Office at 6-1-50, Mint Compound, Hyderabad.
2. The Chief General Manager, Operation Metro Zone, TSSPDCL, Hyderabad.
3. The Assistant Divisional Engineer, Operation, TSSPDCL, Barkathpura Sub-Division, Hyderabad
4. Greater Hyderabad Municipal Corporation, rep. by its Commissioner, office at 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the inaction of the respondent authorities in releasing the power supply in respect of the premises bearing H.No.1-9-312/A/4, A/1, A/4/1 and A/1/2, situated at Yousufbagh, Vidyanagar, Adikmet, Hyderabad, inspite of completion of the formalities and payment of the requisite amount as being illegal, arbitrary and unjust and consequently direct the respondent Nos.1 to 3 herein to release the power supply without insisting to Occupancy Certificate from the 4th respondent, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case

IA NO: 1 OF 2023

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 Nos.1 to 3 herein to provide the electricity connection to the premises bearing H.No.1-9-312/A/4, A/1, A/4/1 and A/1/2, situated at Yousufbagh, Vidyanagar, Adikmet, Hyderabad, without insisting upon Occupancy Certificate from the 4th respondent

Counsel for the Petitioner : SRI. PERLA NARESH BABU

Counsel for the Respondent Nos.1 to 3 : SRI R VINOD REDDY(SC)

Counsel for the Respondent No.4 : SRI K RAVINDER REDDY(SC)

The Court made the following:

THE HON'BLE SMT. JUSTICE P.MADHAVI DEVI

WRIT PETITION No.2347 of 2023

ORDER:

Heard the learned counsel for the petitioner, and Sri R.Vinod Reddy, learned Standing Counsel appearing for respondent Nos.1 to 3 and Sri K.Ravinder Reddy, learned Standing Counsel appearing for respondent No.4. With their consent, the Writ Petition is 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.39196 of 2022 dated 21.10.2022.

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

4. In view of the same and for the reasons alike in the order dated 21.10.2022 passed in W.P.No.39196 of 2022, the present Writ Petition is disposed of directing the respondents to release the power supply to the 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, 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. There shall no order as to costs.

Miscellaneous applications, if any pending, shall also stand closed.

SD/-MOHD.ISMAIL
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman and Managing Director, Southern Power Distribution Company of Telangana Limited, having its Corporate Office at 6-1-50, Mint Compound, Hyderabad.
2. The Chief General Manager, Operation Metro Zone, TSSPDCL, Hyderabad.
3. The Assistant Divisional Engineer, Operation, TSSPDCL, Barkathpura Sub-Division, Hyderabad
4. The Commissioner, Greater Hyderabad Municipal Corporation, office at Tank bund, Hyderabad
5. One CC to SRI PERLA NARESH BABU, Advocate [OPUC]
6. One CC to SRI K RAVINDER REDDY(SC) [OPUC]
7. One CC to SRI R VINOD REDDY(SC) [OPUC]
8. Two CD Copies

HIGH COURT

PMDJ

DATED:30/01/2023



ORDER

WP.No.2347 of 2023

**WRIT PETITION IS DISPOSED
OF WITHOUT COSTS**