

[3252]

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

SATURDAY, THE NINETEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 22521 OF 2023

Between:

Mohd Akber, S/o Mr. Mohd Afzal, aged about 46 years, Occ. Private Service,
R/o H.No.6-3-1240/83, M.S. Maqta, Khairtabad, Hyderabad.

...PETITIONER

AND

1. Southern Power Distribution Company Ltd, of Telangana, rep. by its Chairman and Managing Director, Mint Compound, Hyderabad.
2. Southern Power Distribution Company Ltd., of Telangana, rep. by its Superintending Engineer (operation) Cybercity, Hyderabad.
3. Southern Power Distribution Company Ltd., of Telangana, rep. by its Asst. Divisional Engineer (Operational) Chanda Nagar, 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 by declaring the action of the Respondents in not processing the applications for release of electricity connections to the petitioner's building premises bearing Plot No.48, admeasuring 250 sq yards in Sy.No.80, Situated at Aditya Nagar, New Hafezpet, Serilingampally Mandal, Ranga Reddy District, now Medchal-Malkajgiri District as illegal, arbitrary, unjust and consequently direct the respondents to process applications for providing electricity connections and to release service connections with meters without any further delay.

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 3rd Respondent to process applications for providing electricity connections and to release service connections with meters to the petitioner's building premises bearing Plot No.48, admeasuring 250 sq yards in Sy.No.80, Situated at Aditya Nagar, New Hafezpet, Serilingampally Mandal, Ranga Reddy District, now Medchal-Malkajgiri District.

Counsel for the Petitioner: SRI. L. VISHNU PRASAD

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

The Court made the following: ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.22521 OF 2023

ORDER:

Heard learned counsel for the petitioner and Sri R.Vinod Reddy, learned Standing Counsel for TSSPDCL appearing for respondent Nos.1 to 3.

2. The petitioner approached the Court seeking the prayer as follows:

"To issue an appropriate Writ order or direction more particularly one in the nature of Writ of Mandamus by declaring the action of the Respondents in not processing the applications for release of electricity connections to the petitioner's building premises bearing Plot No.48 admeasuring 250 sq yards in Sy.No.80 Situated at Aditya Nagar, New Hafezpet, Serilingampally Mandal, Ranga Reddy District, now Medchal-Malkajgiri District as illegal arbitrary unjust and consequently direct the respondents to process applications for providing electricity connections and to release service connections with meters without any further delay and to pass such other order or orders as this Hon'ble Court deems fit and proper in the interest of justice."

3. It is represented by both learned counsel for the petitioner and learned Standing Counsel for TSSPDCL appearing for respondent Nos.1 to 3 that the subject issue in the present writ petition is squarely covered by the order of this Court dated 10.08.2023 passed in W.P.No.21585 of 2023, hence, the writ petition could be disposed of interms of the order of this Court dated 10.08.2023 passed in W.P.No.21585 of 2023.

4. Bringing the said submission of both learned counsel on record, the writ petition is disposed of directing the respondents to consider the petitioner's application dated 15.08.2023 as per law, provide power supply or pass appropriate orders on the application filed by the petitioner and communicate the decision to the petitioner, within a period of four (04) weeks from the date of receipt of copy of this order. However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

//TRUE COPY//

SD/-A.V.S.PRASAD
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Chairman and Managing Director, Southern Power Distribution Company Ltd, of Telangana, Mint Compound, Hyderabad.

2. The Superintending Engineer (operation), Southern Power Distribution Company Ltd., of Telangana, Cybercity, Hyderabad.
3. The Asst. Divisional Engineer (Operational) Southern Power Distribution Company Ltd., of Telangana, Chanda Nagar, Hyderabad.
4. One CC to Sri L. Vishnu Prasad Advocate [OPUC]
5. One CC to Sri R. Vinod Reddy, SC FOR TSSPDCL [OPUC]

(Along with a copy of the order in W.P.No.21585 of 2023, dated 10.08.2023)

6. Two CD Copies

CHR

GJP



HIGH COURT

DATED:19/08/2023

ORDER

W.P.No.22521 of 2023



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

⑧
MIA
26/8/23

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.21585 OF 2023

ORDER:

Heard learned counsel for the petitioner and Sri R.Vinod Reddy, learned Standing Counsel for TSSPDCL appearing for respondent Nos.1 to 3.

2. The petitioner approached the Court seeking the prayer as follows:

"To issue an appropriate Writ order or direction more particularly one in the nature of Writ of Mandamus by declaring the action of the Respondents in not processing the applications for release of electricity connections to the petitioner's building premises bearing Plot No.535, West Side Part, admeasuring 90 sq yards in Sy.No.80 Situated at Subash Chandra Bose Nagar, New Hafeezpet, Serilingampally Mandal, Ranga Reddy District, now Medchal-Malkajgiri District, as illegal arbitrary unjust and consequently direct the respondents to process applications for providing electricity connections and to release service connections with meters without any further delay and to pass such other or orders as this Hon'ble Court may deem fit and proper in the interest of justice."

3. It is represented by learned counsel appearing on behalf of the petitioner and learned Standing Counsel appearing on behalf of the respondents that the present writ petition is squarely covered by the order of this Court dated 28.04.2023 passed in W.P.No.12705 of 2023, hence, the writ petition could be disposed of in terms of the order of this Court dated 28.04.2023 passed in W.P.No.12705 of 2023.

4. Bringing the said submission of both the learned counsel on record, the writ petition is disposed of directing the respondents to consider the petitioner's application dated 07.08.2023 as per law, provide power supply or pass appropriate orders on the application filed by the petitioner and communicate the decision to the petitioner, within a period of four (04) weeks from the date of receipt of copy of this order. However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

MRS JUSTICE SUREPALLI NANDA

Note: Issue CC in two days

Date: 10.08.2023

Kgk