

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

WEDNESDAY, THE FOURTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO: 27146 OF 2019

Between:

B. Chandrasekhar Rao, S/o. Laxminarayana, aged about 60 years, R/o. H.No.3-4-541, Near Reddy Women's Hostel, Narayanguda, Hyderabad - 500 027.

...PETITIONER

AND

1. Telangana State Southern Power Distribution Company Limited, Vidyuth Soudha, Somajiguda, Hyderabad Rep. by its Chairman-cum-Managing Director.
2. The Chief General Manager (Finance), T.S. Southern Power Distribution Company Limited, Mint Compound, Hyderabad.
3. The Divisional Engineer (Operations), T.S.S.P.D.C.L., Azamabad, Hyderabad.
4. The Assistant Divisional Engineer (Operations), T.S.S.P.D.C.L., Azamabad, 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 of Mandamus or any other appropriate Writ or direction declaring the action of the respondents in issuing the impugned proceedings Lr. No.ADE/Op/AZBD/D-VI/C-11/Hyd/D.No.755/19, dtd. 05-08-2019 as illegal, arbitrary and with non-application of mind and consequently to set-aside the same

IA NO: 1 OF 2019

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 not to disconnect the electricity connection for SC No.F3000954

Counsel for the Petitioner: SRI. K. L. N. RAGHAVENDRA REDDY

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

The Court made the following: ORDER

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

W.P.No.27146 of 2019

ORDER

This Writ Petition is with the following prayer;

"to issue a Writ of Mandamus or any other appropriate Writ or direction declaring the action of the respondents in issuing the impugned proceedings Lr.No.ADE/Op/AZBD/D-VI/C-II/Hyd/D.No. 755/19 dated 05.08.2019 as illegal, arbitrary and with non-application of mind and consequently to set-aside the same".

2. When the matter came up on 06-12-2019, this Court has granted interim direction to the respondents not to disconnect the electricity supply for S.C.No.F3000954 and directed the respondents to issue fresh demand in terms of Clause No.7.5.1.4.4. of the General Terms and Conditions of supply as notified by the Electricity Regulatory Commission and as and when such a demand is made, the petitioner shall pay the same subject to the final assessment to be made by the respondents in accordance with the procedure prescribed.

3. Learned counsel for the petitioner Mr. KLN Raghavendra Reddy submits that pursuant to the orders passed by this Court, the respondents have issued a fresh demand notice on 27-01-2020 and a copy of the same is also filed along with the counter. He submits that there is no mistake on the part of the consumer and it is for the respondents to look out the same and the petitioner has been made to suffer for no fault of him.

4. Learned Standing Counsel for respondent Nos.1 to 4 Mr. R. Vinod Reddy submits that whenever there is a demand as per Clause No.7.5.1.4.4, within one year, the respondents can reassess the bill and within one week they can raise the said demand.

5. Learned counsel for the petitioner submits that already a notice was given to the petitioner and as the petitioner is also disputing the authority of the respondents, he will approach respondent No.3- Divisional Engineer (Operations), TSSPDCL, Azamabad, Hyderabad.

6. Accordingly, the Writ Petition is disposed of giving liberty to the petitioner to approach respondent No.3 by way of a representation within three weeks from the date of receipt of a copy of this order and on receipt of the same, respondent No.3 shall pass appropriate orders within two weeks thereafter. No order as to costs.

7. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

SD/- K.SREERAMA MURTHY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman-cum-Managing Director, Telangana State Southern Power Distribution Company Limited, Vidyuth Soudha, Somajiguda, Hyderabad
2. The Chief General Manager (Finance), T.S. Southern Power Distribution Company Limited, Mint Compound, Hyderabad.
3. The Divisional Engineer (Operations), T.S.S.P.D.C.L., Azamabad, Hyderabad.
4. The Assistant Divisional Engineer (Operations), T.S.S.P.D.C.L., Azamabad, Hyderabad.
5. One CC to SRI. K. L. N. RAGHAVENDRA REDDY, Advocate [OPUC]
6. One CC to SRI. R VINOD REDDY(SC FOR TSTRANSCO) Advocate [OPUC]
7. Two CD copies

B M
GJP

n

HIGH COURT

DATED:04/01/2023

ORDER

WP.No.27146 of 2019



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(9)

RM

25/1/23