

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

**TUESDAY, THE TENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 28315 OF 2023

Between:

1. Ugadi Ravinder, S/o. Ugadi Bikshapathi alias Bichapaiah Age. 49 years, Occ. Business,
2. Ugadi Lakshmi, W/o. Ugadi Ravinder, Age. 41 years, Occ. House wife
Both R/o. Plot No.136 Survey No.222 A, Bhag Hayathnager, Hayathnagar, Ranga Reddy District.

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary Power and Energy Department Secretariat, Hyderabad-500022.
2. The Southern Power Distribution Company of Telangana State Ltd., Rep. by its Chairman and Managing Director having its Corporate office at 6-1-50, Mint Compound, Hyderabad 500063.
3. The Superintending Engineer Operation, Saroornagar Circle, TSSPDCL Saroornagar.
4. The Divisional Engineer, Operation Saroornagar Division TSSPDCL
5. The Assistant Divisional Engineer, Operation Hayathnagar Sub-Division, TSSPDCL
6. The Assistant Engineer/ SE OP, Saroornaga Division AEOP Hayathnagar, TSSPDCL
7. The Greater Hyderabad Municipal Corporation, Rep. by the Commissioner, Near 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 it a writ order or direction more particularly one in the nature of WRIT OF MANDAMUS directing the respondents 1 to 6 to provide electricity

connection to the residential building, the house bearing Plot No. 136, admeasuring 224 Sq.yds., and Plot No.136 part at admeasuring 220 Sq.yds., and total admeasuring 444 Sq.yds., situated at Bhag Hayathnager, (V) Hayathnagar, L.B.Nagar, Ranga Reddy District., and bounded by North. Hayathnagar to Kuntloor village Z.P.Road and Plot No.136 Part, South. Plot No.119, East. 137, West. Plots No.135. Without insisting upon occupancy Certificate from the 7th respondent by holding that the refusal to provide electricity connection to the above referred premises as illegal and arbitrary.

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 respondents 1 to 6 to provide electricity connection to the residential building/apartment, the house bearing Plot No. 136, admeasuring 224 Sq.yds. and Plot No.136 part at admeasuring 220 Sq.yds., and total admeasuring 444 Sq.yds., situated at Bhag Hayathnager, (V) Hayathnagar, L.B.Nagar, Ranga Reddy District., and bounded by North. Hayathnagar to Kuntloor village Z.P.Road and Plot No.136 Part; South. Plot No.119; East. 137; West. Plots No.135. Without insisting upon occupancy certificate from the 7th respondent pending disposal of main writ petition and may deem fit and proper in the circumstance of the case.

Counsel for the Petitioner : SRI THAKUR ROOPA SINGH

Counsel for the Respondent No.1 : GP FOR ENERGY

Counsel for the Respondent No.2to6 : SRI R.VINOD REDDY, SC FOR TSSPDCL

Counsel for the Respondent No.7 : SRI M.DURGA PRASAD, SC FOR GHMC

The Court made the following: ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.28315 OF 2023

ORDER:

Heard learned counsel for the petitioners, learned Assistant Government Pleader for Energy appearing for respondent No.1, Sri R.Vinod Reddy, learned Standing Counsel for TSSPDCL appearing for respondent Nos.2 to 6 and Sri M.Durga Prasad, learned Standing Counsel for GHMC appearing for respondent No.7.

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

"To issue it a writ order or direction more particularly one in the nature of WRIT OF MANDAMUS directing the respondents 1 to 6 to provide electricity connection to the residential building, the house bearing Plot No 136, admeasuring 224 Sq.yds and Plot No.136 part at admeasuring 220 Sq.yds and total admeasuring 444 Sq.yds situated at Bhag Hayathnager (V) Hayathnagar, L.B.Nagar, Ranga Reddy District and bounded by North: Hayathnagar to Kuntloor village Z.P.Road and Plot No.136 Part; South: Plot No.119; East: 137; West: Plots No.135. Without insisting upon occupancy Certificate from the 7th respondent by holding that the refusal to provide electricity

connection to the above referred premises as illegal and arbitrary and pass such order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

3. It is represented by learned counsel for the petitioners, learned Standing Counsel appearing for respondent Nos.2 to 6 and learned Standing Counsel appearing for respondent No.7 that the subject issue in the present writ petition is squarely covered by the order of this Court dated 22.09.2023 passed in W.P.No.26407 of 2023, hence the writ petition could be disposed of in terms of the order of this Court dated 22.09.2023 passed in W.P.No.26407 of 2023.

4. Bringing the said submission of all the learned counsel on record, the writ petition is disposed of at the admission stage, directing the respondents to provide the power supply to the subject premises of the petitioners residential building, the house bearing Plot No.136, admeasuring 224 Sq.yds., and Plot No.136 part at admeasuring 220 Sq.yds., and total admeasuring 444 Sq.yds., situated at Bhag Hayathnagaer, (V) Hayathnagar, L.B.Nagar, Ranga Reddy District, upon the petitioners, complying with the required terms and conditions as per rules in force, and upon the petitioners furnishing an undertaking to produce the occupancy certificate from the

Municipal Corporation Concerned, within a reasonable period as prescribed by the respondent authority and if no such occupancy certificate is produced by the petitioners within such prescribed time, it is open to the respondents to take appropriate action, in accordance to law. However, there shall be no order as to costs.

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

SD/- P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Power and Energy Department Secretariat, State of Telangana, Hyderabad-500022.
2. The Chairman and Managing Director, Southern Power Distribution Company of Telangana State Ltd., Corporate office at 6-1-50, Mint Compound, Hyderabad 500063.
3. The Superintending Engineer Operation, Saroornagar Circle, TSSPDCL Saroornagar.
4. The Divisional Engineer, Operation Saroornagar Division TSSPDCL
5. The Assistant Divisional Engineer, Operation Hayathnagar Sub-Division, TSSPDCL
6. The Assistant Engineer/ SE OP, Saroornaga Division AEOP Hayathnagar, TSSPDCL
7. The Commissioner, Greater Hyderabad Municipal Corporation, Near Tank Bund, Hyderabad.
8. One CC to SRI THAKUR ROOPA SINGH, Advocate. [OPUC]
9. Two CCs to GP FOR ENERGY, High Court for the State of Telangana at Hyderabad. [OUT]
10. One CC to SRI R.VINOD REDDY, SC FOR TSSPDCL. [OPUC]
11. One CC to SRI M.DURGA PRASAD, SC FOR GHMC. [OPUC]
12. Two CD Copies.

BSK

GJP

HIGH COURT

DATED:10/10/2023



ORDER

WP.No.28315 of 2023

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(15)
MA
27/10/23