

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

**WEDNESDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 32739 OF 2023

Between:

Md. Fiazuddin, C/o. Khaza Mohiuddin, Age 46 years, Occ Business, R/o. H.No.7- 56, Patanwadi, Devarakonda Village and Mandal, District Nalgonda.

...PETITIONER

AND

1. The Southern Power Distribution Company Of Telangana Limited, Rep by its Chairman and Managing Director, Mint Compound, Hyderabad.
2. The Assistant Divisional Engineer (Operation), The Southern Power Distribution Company Of Telangana Limited, Devarakonda, District Nalgonda.
3. The Assistant Accounts Officer, ERO, Devarakonda, District Nalgonda.
4. The Assistant Engineer, Devarakonda, District Nalgonda.

...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 Writ of Mandamus, declaring the impugned notice vide Lr. No. ADE/OP/DVKD/F.NO.PAO/D.No.23/11016 dt. 15.11.2023 of the 2nd respondent as highly illegal, arbitrary and unjust and consequently, set aside the same.

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 grant stay of the operation the impugned order passed by the 2nd respondent vide Lr.No.ADE/OP/DVKD/F.NO.PAO/D.No.23/11016 dt. 15.11.2023 pertaining to premises bearing No. 7- 56 of Patanwadi, Devarakonda village and Mandal,

Nalgonda District, vide service connection No. 4201412482 pending disposal of the above writ petition.

Counsel for the Petitioner: SRI PRAVEEN KUMAR VEERJALA

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

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION No.32739 OF 2023

ORDER:

This Writ Petition is filed seeking a writ of Mandamus declaring the impugned notice in letter No.ADE/OP/DVKD/F.No.PAO/D.No.23/11016, dated 15.11.2023 of the 2nd respondent as illegal and arbitrary and consequently to set-aside the same and to pass such other order or orders.

2. Heard learned counsel for the petitioner and Sri R.Vinod Reddy, learned Standing Counsel for TSSPDCL appearing for the respondents. With their consent, this Writ Petition is disposed of.

3. When the matter is taken up for hearing, the learned counsel for the petitioner submitted that the issue raised in the present writ petition is squarely covered by the orders passed by this Court in W.P.No.7785 of 2019, dated 15.04.2019 and W.P.No.2884 of 2020, dated 13.02.2020.

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

5. In view of the same and for the reasons alike in the order dated 15.04.2019 passed in W.P.No.7785 of 2019, the present Writ Petition is disposed of directing the respondents to restore the power supply subject

to the petitioner depositing 50% of the amount assessed in the impugned letter dated 15.11.2023. If the petitioner complies with the directions of this Court, the respondents shall not demand the balance amount till the issue is decided under Section 154 of the Electricity Act, 2003. The petitioner shall pay the monthly consumption charges as per the monthly bills. There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

//TRUE COPY//

SD/-C.PRAVEEN KUMAR
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Chairman and Managing Director, Southern Power Distribution Company Of Telangana Limited, Mint Compound, Hyderabad.
2. The Assistant Divisional Engineer (Operation), The Southern Power Distribution Company Of Telangana Limited, Devarakonda, District Nalgonda.
3. The Assistant Accounts Officer, ERO, Devarakonda, District Nalgonda.
4. The Assistant Engineer, Devarakonda, District Nalgonda.
5. One CC to SRI PRAVEEN KUMAR VEERJALA, Advocate [OPUC]
6. One CC to SRI R.VINOD REDDY, SC FOR TSSPDCL [OPUC]
7. Two CD Copies

BSR

SB



HIGH COURT

DATED: 06/12/2023

ORDER

WP.No.32739 of 2023



DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS

⑨ Sopras
GMB
MBC
25/6/24