

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

FRIDAY, THE TWENTY FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 6580 OF 2016

Between:

M/S. Maha Shiv Shakti Steel Rolling Mills Pvt. Ltd, (S.C. No MBN 823)
(Furnace Division) Rep., by its Director Mr. Dhiraj Kumar Sonthalia S/o.Late.
Sri Mahavir Prashad Sonthalia, aged about 35 years, H.No 13-6-433/135,
Netaji Nagar Colony, Mehedipatnam Ring Road Hyderabad

...PETITIONER

AND

1. The Transmission Corporation of Telangana State, (TSTRANSCO) Rep., by its Chairman and Managing Director, Vidhyt Souda, Hyderabad.
2. SLDC rep., by its Chief Engineer TSTRANSCO, Vidhyt Souda, Hyderabad
3. The Southern Power Distributioun Company Ltd., Telangana State, Rep., by its Chairman and Managing Director
4. The Superintending Engineer (Operation Circle), TSPDCL, at Mahaboobnagar, Mahaboobnagar District.
5. The Senior Accounts Officer (Operation), TSPDCL, at Mahaboobnagar, Mahaboobnagar District

...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 in the nature of a Writ of Mandamus or any other appropriate writ direction or order declaring the action of the respondents in introducing Format 'A' and Format 'B' in the place of Format in Annexure-I prescribed by APERC under Regulation-2 of 2005 for applying to SLDC, the Nodel Agency for issuance of No Objection Certificate for availing open access Energy as wholly arbitrary, illegal without jurisdiction and void and consequently direct the respondents to follow Format given in Annexure-I to Regulation-2 of 2005 to issue no objection Certificate

I.A. NO: 1 OF 2016(WPMP. NO: 8384 OF 2016)

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 and 2 not to insist production of 'No Due' Certificate from the 3rd respondent DISCOM for issuing 'No Objection Certificate' for availing Open Access Power by the petitioner pending disposal of the writ petition.

Counsel for the Petitioner: SRI. M P CHANDRAMOULI

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

The Court made the following: ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.6580 of 2016

ORDER:

Heard Sri M.P.Chandra mouli, learned counsel appearing on behalf of the petitioner and Sri R.Vinod Reddy, learned Standing Counsel appearing on behalf of the respondents.

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

"...to issue a writ in the nature of a Writ of Mandamus or any other appropriate writ direction or order declaring the action of the respondents in introducing Format 'A' and Format 'B' in the place of Format in Annexure-I prescribed by APERC under Regulation-2 of 2005 for applying to SLDC, the Nodal Agency for issuance of No Objection Certificate for availing Open Access Energy as wholly arbitrary, illegal, without jurisdiction and void and consequently, direct the respondents to follow Format given in Annexure-I to Regulation-2 of 2005 to issue no objection Certificate and pass such order or other orders as this Hon'ble Court deems fit and proper in the circumstances of the case".

3. This Court vide its order dated 01.03.2016, passed interim order in W.P.M.P.No.8384 of 2016 in W.P.No.6580 of 2016 in favour of the petitioner observing as under:

"Having regard to the fact that in similar matters, interim directions have been granted, there

shall be interim direction to the respondents 1 and 2 not to insist the petitioner on furnishing of "No Due Certificate" as a condition precedent while issuing No Objection Certificate for providing open access to the petitioner."

4. Learned counsel appearing on behalf of the petitioner submits that by virtue of the interim orders of this Court dated 01.03.2016 passed in W.P.M.P.No.8384 of 2016 in W.P.No.6580 of 2016, no further orders are necessary.

5. Sri R.Vinod Reddy, learned Standing Counsel appearing on behalf of the respondents does not dispute the submission made by the learned counsel appearing on behalf of the petitioner.

6. **Bringing the said submission of the learned counsel appearing on behalf of the petitioner on record, the writ petition is closed. However, there shall be no order as to costs.**

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

SD/- A. SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. M P CHANDRAMOULI Advocate [OPUC]
2. One CC to SRI R. VINOD REDDY SC FOR TSPDCL [OPUC]
3. Two CD Copies

KKS
GJP

Kp.

HIGH COURT

DATED:25/10/2024

ORDER

WP.No.6580 of 2016



CLOSING THE WRIT PETITION
WITHOUT COSTS

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tcp,
31/12/24