

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

**MONDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 8285 OF 2024

Between:

C.Yamuna, W/o. C.V. Subrahmanyeswara Rao, Age: 63 years, Occ: House Wife, R/o. H.No.6-3-2267 (C- 761), Survey.No.201, NGOs Colony, Vanasthalipuram, Ranga Reddy District, T.S.

...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 TSSPDC L, Saroornagar
4. The Divisional Engineer, /Operation/ Champapet Division TSSP DC L, Saroornagar
5. The Assistant Divisional Engineer, Operation/Vanasthalipuram Sub - Division TSSP DC L, Saroornagar
6. The Assistant Engineer, SE OP Saroornagar / AE OP Vanasthalipuram, TSSP DC L, Saroornagar
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 writ order or direction more particularly one in the nature of WRIT OF MANDAMUS directing the respondents 2 to 6 to provide electricity connection to the residential building, the H.No.6-3-2267 (C- 761), admeasuring 251.66 Sq. Yards in Survey No.201, NGO's Colony, Vanasthalipuram, Ranga

Reddy District, T.S., bounded by North- Road South- H.No.C-728 East- H.No.C-760 West- H.No.C-762. Without insisting upon occupancy certificate from the 7th respondent by holding that the refusal to provide electricity connection to the above referred premises is illegal and arbitrary.

IA NO: 1 OF 2024

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 2 to 6 to provide electricity connection to the residential building, the H.No.6-3-2267 (C- 761), admeasuring 251.66 Sq. Yards in Survey No.201, NGO's Colony, Vanasthalipuram, Ranga Reddy District, T.S., bounded by North- Road; South- H.No.C-728; East- H.No.C-760; West- H.No.C-762. Without insisting upon occupancy certificate from the 7th respondent pending disposal of main writ petition.

Counsel for the Petitioner: SMT. THAKUR ROOPA SINGH

Counsel for the Respondent No.1: AGP FOR ENERGY

**Counsel for the Respondent No.2 to 6: SRI R. VINOD REDDY,
SC FOR TSSPDCL**

**Counsel for the Respondent No.7: SRI M. DURGAPRASAD,
SC FOR MUNICIPALITES/GHMC**

The Court made the following: ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.8285 of 2024

ORDER:

Heard Smt.Thakur Roopa Singh, learned counsel appearing on behalf of petitioner and Learned Assistant Government Pleader for Energy, appearing on behalf of respondent No.1, Sri R.Vinod Reddy, learned Standing Counsel for TSSPDCL, appearing on behalf of respondent Nos.2 to 6 and Mr.M.Durgaprasad, learned Standing Counsel for Municipalities/GHMC appearing on behalf of Respondent No.7.

PERUSED THE RECORD

2. The limited relief as sought for by the petitioner is a direction to the Respondent Nos.2 to 6, to provide electricity connection to the Petitioner's residential building i.e. house bearing No.6-3-2267(C-761), admeasuring 251.66 sq.yards., in Sy.No.201, NGO's Colony, Vanasthalipuram, Ranga Reddy District, T.S., and bounded by North: Road; South:H.No.C-728; East:H.No.C-760; West:H.No.C-762, without insisting upon occupancy certificate from the 7th respondent by holding

that the refusal to provide electricity connection to the above referred premises is illegal and arbitrary

3. The case of the petitioner is that, the respondents cannot stop the release of power supply only on the ground of non-submission of occupancy certificate, which was delayed by the concerned authority and the petitioner is ready and willing to submit undertaking to produce the occupancy certificate immediately after the receipt of the same. The petitioner is facing hardship due to non release of the power supply to the petitioner's premises. Hence, the present Writ petition.

4. When the matter is taken up for hearing, it is submitted by learned counsel for the petitioner that the issue involved in this writ petition is squarely covered by the order passed by this Court in W.P.No.28987 of 2023, dated 16.10.2023 and the same is not disputed by the learned Assistant Government Pleader appearing on behalf of the 1st respondent, Sri R.Vinod Reddy, learned Standing Counsel for TSSPDCL appearing on behalf of Respondent Nos. 2 to 6 and Mr.M.Durgaprasad,

learned Standing Counsel for GHMC appearing on behalf of respondent No.7.

5. Taking into consideration the facts and circumstances of the case and the submissions made by both the learned counsel on record and for the reasons alike in the above referred order passed by this Court in W.P.No.28987 of 2023, dated 16.10.2023, the Writ Petition is disposed of at the admission stage directing the respondents to provide electricity connection and to ensure power supply to the subject premises of the Petitioner's residential building i.e. house bearing No.6-3-2267(C-761), admeasuring 251.66 sq.yards., in Sy.No.201, NGO's Colony, Vanasthalipuram, Ranga Reddy District, T.S., and bounded by North: Road; South:H.No.C-728; East:H.No.C-760; West:H.No.C-762, upon the petitioner, complying with the required terms and conditions as per rules in force, and upon the petitioner furnishing an undertaking to produce the occupancy certificate from the Municipal Corporation concerned, within a reasonable prescribed period by the respondent Authority and if no such occupancy

certificate is produced by the petitioner within such prescribed time, it is open to the respondents to take appropriate action, in accordance to law.

6. With these observations, the Writ petition is disposed of. However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending shall stand closed.

SD/- MOHD. ISMAIL
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Power and Energy Department Secretariat, The State of Telangana, Hyderabad-500022.
2. The Chairman and Managing Director, The Southern Power Distribution Company of Telangana State Ltd, 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/ Champapet Division TSSPDCL, Saroornagar
5. The Assistant Divisional Engineer, Operation/Vanasthalipuram Sub - Division TSSPDCL, Saroornagar
6. The Assistant Engineer, SE OP Saroornagar / AE OP Vanasthalipuram, TSSPDCL, Saroornagar
7. The Commissioner, The Greater Hyderabad Municipal Corporation, Near Tank Bund, Hyderabad
8. One CC to Smt. Thakur Roopa Singh, Advocate [OPUC]
9. One CC to Sri R. Vinod Reddy, SC for TSSPDCL[OPUC]
10. One CC to M. Durgaprasad, SC for Municipalities/GHMC[OPUC]
11. Two CCs to GP for Energy, High Court for the State of Telangana, at Hyderabad [OUT]
12. Two CD Copies

TJ

GJB

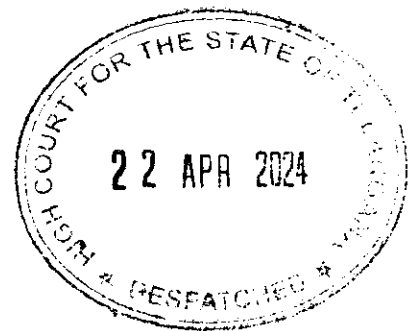


HIGH COURT

DATED:01/04/2024

ORDER

WP.No.8285 of 2024



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.**

18
20/4/24
[Signature]