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

THURSDAY ,THE TWELFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 24842 OF 2010

Between:

D. Ch. Yellamma , W/o.D.Ch.Ramesh R/o.Quarter No.3 A FF New H.No.8-2-292/82/GTN/3A FF, Gouthamnagar, Film Nagar, Hyderabad.

...PETITIONER

AND

1. Government of Andhra Pradesh, rep by its Principal Secretary to Government, Energy Department, Secretariat Buildings, Hyderabad-22.
2. APCPDCL Represented by its Managing Director, Mint Compound, Hyderabad.
3. Assistant Divisional Engineer, West Zone, APCPDCL, Banajra Hills, Road No.1, Hyderabad.
4. Superintendent Engineer (Operation) North Circle APCPDCL, Mint Compound, Hyderabad.
5. Assistant Engineer (Electrical), APCPDCL, Operation, Section, Filmnagar, Division - XIII, C-IV, 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 or order or direction more particularly one in the nature of Writ of Mandamus declaring the action on the part of the respondents authorities in not issuing a new service connection in the name of the petitioner and insisting for the payment of arrears inspite of judgment in W.P.No.240 of 2005 and disconnecting the power supply to the Quarter No.3A FF new House No. 8-2-292/82/GTN/3A FF, Goutham Nagar, Film Nagar, Hyderabad with service connection No.A9/001911 in the name of Mankyamma is illegal and unconstitutional and consequently direct the authorities to restore the power connection and receive the payment as directed by this Hon'ble Court in W.P.No.240 of 2005 and later on issue a fresh power connection in the name of the petitioner as sought by her

I.A. NO: 1 OF 2010(WPMP. NO: 31781 OF 2010)

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 restore the power connection to the service to the Quarter No.3A FF New House No.8-2-292/82/GTN/3A FF, Goutham Nagar, Film Nagar, Hyderabad with service connection No. A9/001911 in the name of Mankyamma

Counsel for the Petitioner: SRI. K. S. MURTHY

Counsel for the Respondent No.1: AGP FOR ENERGY

Counsel for the Respondent Nos. 2to5: SRI R. VINOD REDDY (SC FOR TSTRANSCO)

The Court made the following: ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

W.P.No.24842 OF 2010

ORDER:

Heard Sri K. S. Murthy, learned counsel appearing on behalf of the petitioner, learned Assistant Government Pleader for Energy, appearing on behalf of respondent No.1 and Ms. Nikita Goenka, learned counsel representing, Sri R. Vinod Reddy, learned Standing Counsel for TSTRANSCO, appearing on behalf of respondent Nos.2 to 5.

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

> "...issue a Writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action on the part of the respondents authorities in not issuing a new service connection in the name of the petitioner and insisting for the payment of arrears inspite of judgment in W.P.No.240 of 2005 and disconnecting the power supply to the Quarter No.3A FF, new House No.8-2-292/82/GTN/3A FF, Goutham Nagar, Film Nagar, Hyderabad with service connection No.A9/001911 in the name of Mankyamma is illegal and unconstitutional and consequently direct the authorities to restore the power connection and receive the payment as directed by this Hon'ble Court in W.P.No.240 of 2005 and later on issue a fresh power connection in the name of the petitioner as sought by her and pass such

other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice."

PERUSED THE RECORD

3. The counter affidavit has been filed on behalf of respondent Nos.2 to 5 and in particular paragraph No.3 is extracted hereunder:

"It is submitted that as per the scheme of the government the electricity arrears which were pending in respect of the old service connection have been withdrawn. It is open to the petitioner to apply for a new service connection which shall be issued as per the General Terms and conditions of Supply and the rules applicable. The cause of action does not survive anymore and the writ petition may be dismissed on this ground alone."

4. The relief as sought for by the petitioner is two fold and the same is as under:

a). Direction to the respondent authorities to issue a new service connection in the name of the petitioner.

b). Not to insist the petitioner for the payment of arrears as per the judgment in W.P.No.240 of 2005.

5. The counter affidavit filed on behalf of respondent Nos.2 to 5 in particular paragraph No.3 (referred to and extracted above) clearly indicates that as per the scheme of the

Government the electricity arrears which were pending in respect of the old service connection have been withdrawn and further it is open to the petitioner to apply for a new service connection which shall be issued as per the general terms and conditions of supply and the rules applicable.

6. Taking into consideration:-

a) The submissions made by both the learned counsel appearing on behalf of the petitioner and learned Standing Counsel appearing on behalf of respondent Nos.2 to 5.

b) Duly considering the averments made at paragraph No.3 of the counter affidavit filed on behalf of respondent Nos.2 to 5 (referred to and extracted above).

The writ petition is closed, leaving it open to the petitioner to apply to the respondents for a new service connection if not already issued in favour of the petitioner as on date. However, there shall be no order as to costs.

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

SD/-T.JAYASREE
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

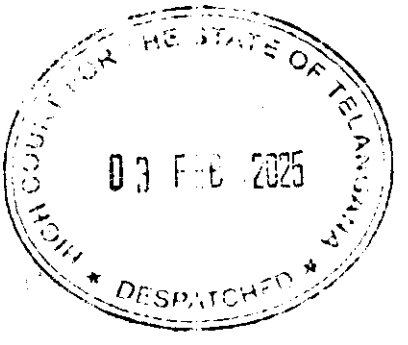
1. One CC to SRI. K. S. MURTHY, Advocate [OPUC]
2. Two CCs to GP FOR ENERGY, High Court for the State of Telangana, at Hyderabad [OUT]
3. One CC to SRI. R. VINOD REDDY(SC FOR TSTRANSCO) [OPUC]
4. Two CD Copies

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HIGH COURT

DATED:12/12/2024



ORDER

WP.No.24842 of 2010

CLOSING THE WRIT PETITION WITHOUTCOSTS

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