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

MONDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 35183 OF 2024

Between:

M/s. SUDHAKAR CONSTRUCTIONS, Rep by k. Sudhakar S/o. K. Somaiah Age. 37 years, Occ. Civil Contractor, R/o. H.No.12-10-590/96/F, and Portion of H.No.12-10-587/96/F, Seethaphalmandi, Secunderabad, Hyderabad 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. Chief General Manager commercial Mint Compound TGSPDCL, Hyderabad
4. The Superintending Engineer Operation, Secundrabad Circle TGSPDCL Gunrock SS.Thirumalgiri Road, Secunderabad
5. The Divisional Engineer Operation/ Paradise Division TGSPDCL, Secunderabad
6. The Assistant Divisional Engineer/ Operation/P.R. Nagar Sub-Division TGSPDCL, Hyderabad
7. The Assistant Engineer/ OPR/, SEC'BAD Circle/AE OP SP' Mandi TGSPDCL, Hyderabad
8. 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 7 to provide electricity connection LT Supply to 4Nos.1-ph 02KW of each the existing T/S VZ033053-1-

Ph-03KW, Domestic service V6063814-1PH-01KW, D/S VZ035718-1Ph-01KW, D/S VZ033052-1Ph-01KW, D/S V6034195-3Ph-05KW, thus making total load of 19KW Connection to the Residential Building, H.No.12-10-590/96/F, and Portion of H.No.12-10-587/96/F, admeasuring 191.66 Sq. Yards situated at Seethaphalmandi, Secunderabad, Hyderabad, T.S., bounded by North. Remaining Portion of House No.12-10-588/A and 12-10-587/63, South. 30' Wide Road, East. House No.12-10-764/4, West. Neighbours House. Remaining portion of house belongs to second party. Without insisting upon occupancy certificate from the 8th 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 7 to provide electricity connection LT Supply to 4No's.1-ph 02KW of each the existing T/S VZ033053-1-Ph-03KW, Domestic service V6063814-1PH-01KW, D/S VZ035718-1Ph-01KW, D/S VZ033052-1Ph-01KW, D/S V6034195-3Ph-05KW, thus making total load of 19KW Connection to the Residential Building, H.No.12-10-590/96/F, and Portion of H.No.12-10-587/96/F, admeasuring 191.66 Sq. Yards situated at Seethaphalmandi, Secunderabad, Hyderabad, T.S., bounded by North. Remaining Portion of House No.12-10-588/A and 12-10-587/63; South. 30' Wide Road; East. House No.12-10-764/4; West. Neighbours House. Without insisting upon occupancy certificate from the 8th respondent pending disposal of main writ petition and may deem fit and proper in the circumstance of the case.

Counsel for the Petitioner: M/s. THAKUR ROOPA SINGH
Counsel for the Respondent No.1: GP FOR ENERGY
Counsel for the Respondent No.2 to 7: SRI R.VINOD REDDY, SC FOR TGSPDCL
Counsel for the Respondent No.8: SRI MIDDE ARUN KUMAR, SC FOR GHMC

The Court made the following: ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.35183 OF 2024

ORDER:

Heard Smt. Thakur Roopa Singh, learned counsel appearing on behalf of the petitioner, learned Government Pleader for Energy, appearing on behalf of the respondent No.1, Sri R.Vinod Reddy, learned Standing Counsel for TGSPDCL, appearing on behalf of the respondent Nos.2 to 7 and Sri Midde Arun Kumar, learned Standing Counsel for GHMC, appearing on behalf of the respondent No.8.

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

"...to issue writ order or direction more particularly one in the nature of WRIT OF MANDAMUS directing the respondents 2 to 7 to provide electricity connection LT Supply to 4No's. 1-ph 02KW of each the existing T/S VZ033053-1-Ph-03KW, Domestic service V6063814-1-PH-01KW, D/S VZ035718-1Ph-01KW, D/S VZ033052-1Ph-01KW, D/S V6034195-3Ph-05KW, thus making total load of 19KW Connection to the Residential Building, H.No.12-10-590/96/F, and Portion of H.No.12-10-587/96/F, admeasuring 191.66 Sq. Yards situated at Seethaphalmandi, Secunderabad, Hyderabad, T.S., bounded by North: Remaining Portion of House No.12-10-588/A & 12-10-587/63; South:30' Wide Road; East: House No.12-10-764/4; West: Neighbours House: Remaining portion of house belongs to second party..

Without insisting upon occupancy certificate from the 8th respondent by holding that the refusal to provide electricity connection to the above referred premises is 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 the learned counsel appearing on behalf of the petitioner and Sri R.Vinod Reddy, learned Standing Counsel for TGSPDCL appearing on behalf of respondent Nos.2 to 7 that the subject issue in the present writ petition is squarely covered by the order of this Court dated 03.12.2024 passed in W.P.No.33858 of 2024, hence, the writ petition could be disposed of in terms of the order of this Court dated 03.12.2024 passed in W.P.No.33858 of 2024.

4. Bringing the said submissions of both the learned counsel appearing on behalf of the petitioner and Sri R.Vinod Reddy, learned Standing Counsel for TGSPDCL appearing on behalf of respondent Nos.2 to 7 on record and for the reasons alike in the above referred order passed by this Court in W.P.No.33858 of 2024, dated 03.12.2024, the writ petition is disposed of at the admission stage, directing the respondent No.2 to 7 to provide electricity connection LT Supply to 4No's. 1-ph 02KW of each of the existing T/S

VZ033053-1-Ph-03KW, Domestic service V6063814-1-PH-01KW, D/S VZ035718-1Ph-01KW, D/S VZ033052-1Ph-01KW, D/S V6034195-3Ph-05KW, thus making total load of 19KW Connection to the Residential Building, H.No.12-10-590/96/F, and Portion of H.No.12-10-587/96/F, admeasuring 191.66 Sq. Yards situated at Seethaphalmandi, Secunderabad, Hyderabad, Telangana State, 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 period as prescribed by the respondent Authority and if no such occupancy certificate is produced by the petitioner within such prescribed time, it is open to the respondent Nos.2 to 7 to take appropriate action, in accordance to law. 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/-T. JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Power and Energy Department Secretariat, Hyderabad, State of Telangana-500022.
2. The Chairman and Managing Director, Southern Power Distribution Company of Telangana State Ltd, having its Corporate office at 6-1-50, Mint Compound, Hyderabad 500063.
3. The Chief General Manager, Commercial Mint Compound, TGSPDCL, Hyderabad

4. The Superintending Engineer Operation, Secundrabad Circle TGSPDCL Gunrock SS.Thirumalgiri Road, Secunderabad
5. The Divisional Engineer Operation/ Paradise Division TGSPDCL, Secunderabad
6. The Assistant Divisional Engineer/ Operation/P.R. Nagar Sub-Division TGSPDCL, Hyderabad
7. The Assistant Engineer/ OPR/, SEC'BAD Circle/AE OP SP' Mandi TGSPDCL, Hyderabad
8. The Commissioner, Greater Hyderabad Municipal Corporation, Near Tank Bund, Hyderabad
9. One CC to M/s. THAKUR ROOPA SINGH, Advocate [OPUC]
10. One CC to SRI R.VINOD REDDY, SC FOR TGSPDCL [OPUC]
11. One CC to SRI MIDDE ARUN KUMAR, SC FOR GHMC [OPUC]
12. Two CCs to GP FOR ENERGY, High Court for the State of Telangana at Hyderabad [OUT]
13. Two CD Copies

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BS

CC TODAY

HIGH COURT

DATED: 16/12/2024



ORDER

WP.No.35183 of 2024

DISPOSING OF THE WRIT PETITION,

WITHOUT COSTS

(16)
18/12/24
bk