

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

**MONDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 2290 OF 2014

Between:

M/s My Home Industries Ltd., Regd. Office My Home Hub, Block-3, 9th Floor,
Madhapur, Hyderabad - 500 081 Rep. by its Company Secretary and Sr.
General Manager (Legal), ShriB.MuralidharaRao.

...PETITIONER

AND

1. State Load Dispatch Centre, rep., by its Chief Engineer, APTRANSCO,
Vidhyut Soudha, Hyderabad
2. Central Power Distribution Company of Andhra Pradesh, Ltd., Mint
Compound, Secretariat Road, Hyderabad. represented by its Managing
Director.
3. Eastern Power Distribution Company of Andhra Pradesh, Ltd., P&T Colony,
Seethammadhara, Visakhapatnam 530013, represented by its Managing
Director.

...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 Nodal Agency for issuance of No Objection Certificate for availing and sale of 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 2014(WPMP. NO: 2791 OF 2014)

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 1st respondent to issue No Objection Certificate/ Standing Clearance to the petitioner for the service connection bearing No.NLG-351 to avail open access for

purchase of Energy from IEX through the Trader Ws. Reliance Energy Trading Limited, and to purchase Energy through IEX to M/s. Reliance Energy Trading Limited for the service connection bearing No.VSP-718 without insisting for production of No Dues Certificate" from the 2nd and 3rd respondent DISCOMS

Counsel for the Petitioner: M/s. CKR ASSOCIATES REP., FOR SRI. CHALLA GUNARANJAN

Counsel for the Respondent Nos.1&2: SRI N. SREEDHAR REDDY (SC FOR TSTRANSCO)

Counsel for the Respondent No.3: SRI M RAVINDRA (SC FOR APEPDCL)

The Court made the following: ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.2290 OF 2014

ORDER:

Heard M/s. CKR Associates, learned counsel appearing on behalf of the petitioner, Sri N. Sreedhar Reddy, learned Standing Counsel for TS Transco appearing on behalf of respondent Nos.1 and 2 and Sri M. Ravindra, learned Standing Counsel for APEPDCL, appearing on behalf of respondent No.3.

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 place of Format in Annexure-I prescribed by APERC under Regulation-2 of 2005 for applying to Nodal Agency for issuance of No Objection Certificate for availing and sale of 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".

3. This Court *vide* its order 30.01.2014 in W.P.M.P. No. 2791 of 2014 passed interim order in favour of the petitioner observing as under:

"It is stated by the learned counsel for the petitioner as well as learned Standing Counsel for respondents that this Court in similar circumstances granted interim direction in similar matter i.e., W.P.M.P. No. 44558 of 2013 in W.P. No.35828 of 2013 on 03.01.2014.

In view of the same and for the reasons alike therein there shall be interim direction to the respondents DISCOMS that if the petitioner wants to avail energy through open access, they may not insist for No Due Certificate for the dues to them. Once open access charges are paid, the petitioner may be permitted to avail open access subject to other conditions. However, it is open for the DISCOMS to take appropriate action according to provisions of Electricity Act, 2003 for recovery of dues".

4. Learned counsel appearing on behalf of petitioner submits that in view of interim orders of this Court dated 30.01.2014 passed in W.P.M.P. No. 2791 of 2014 no further orders are necessary.

5. Sri N. Sreedhar Reddy, learned Standing Counsel for TS Transco appearing on behalf of respondent Nos.1 and 2 submits that by virtue of interim order dated 30.01.2014 passed in W.P.M.P. No. 2791 of 2014 cause in the present writ petition does not survive for adjudication.

6. **Bringing the said submission of both the learned counsel appearing on behalf of the petitioner and the learned Standing Counsel appearing on behalf of respondents on record, the writ petition stands dismissed. 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 dismissed.

SD/-S. MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. CHALLA GUNARANJAN Advocate [OPUC]
2. One CC to SRI. M RAVINDRA (SC FOR APEPDCL) [OPUC]
3. One CC to SRI N. SREEDHAR REDDY (SC FOR TSTRANSCO) [OPUC]
4. Two CD Copies

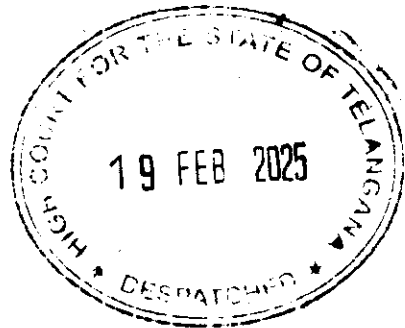
KKS
BS

HIGH COURT

DATED:30/12/2024

ORDER

WP.No.2290 of 2014



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**DISMISSING THE WRIT PETITION
WITHOUT COSTS**