APHC010049522025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

TUESDAY, THE 27th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 2538 OF 2025

Between:

1. S. Sunil Kumar,, S/o. Late Chikkirappa, Aged about 45 years, Flat no 227, Green Living, Apartments, C-block, Pipe Line Road, Manikonda, Hyderabad - 500089.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Special Chief Secretary, Energy Department, Secretariat, Velagapudi, Amaravathi, Guntur District.

2. The Chairman and Managing Director, A.P.S.P.D.C.L ,Tirupathi, Corporate Office, Tirupathi.

3. The Superintending Engineer Operations, APSPSDCL, Kurnool, Kurnool 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 topleased to issue any writ, order or direction more particularly one in the nature of Writ of MANDAMUS declaring the inaction of the Respondent No.2 and 3 in taking action as per my representations dated 09.12.2024 to remove the 5 electric poles of 11 K.V High Tension line erected in my agriculture land located in Sy.No.356-1 of Nannuru Village, Orvakal Mandal,

Kurnool District without following due process of law and without paying compensation and in violation of Electricity Act,2003 is illegal, arbitrary and violation of Article 14 and 300-A of Constitution of India.

Counsel for the Petitioner: SATYA SREENIVASA RAO K

Counsel for the Respondents: VENKATA RAMA RAO KOTA SC FOR APSPDCL

Counsel for the Respondents:GP FOR ENERGY

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The Court made the following order:

Heard learned counsel for the writ petitioner and learned standing Counsel for the Respondents.

2. The claim of the writ petitioner is that, he is the rightful owner of the subject property situated in Sy.No.356-1 of Nannuru Village, Orvakal Mandal, Kurnool District and he acquired the same by way of Registered Gift Deed on 31.07.2010 vide document No.1895/2010, since then, he has been in peaceful possession and enjoyment of the same and doing cultivation. Due to family obligations, he was stayed far from hometown about 5 to 6 years and thereafter, when he came back to his village, he was shocked by seeing that the electrical poles were erected in his land. Thereafter, he came to know that the respondent authorities erected five electric poles of 11 K.V. High Tension Electric Lines in his agriculture land without calling for objections or without giving any prior notice. For which, he approached the respondent authorities multiple times and requested them orally to remove the poles from the middle of agriculture land and erect at one side of his agriculture land so that loss of crop would be reduced and would be more convenient for cultivation and to avoid electric injuries due to high tension wires, but there is no response from the Respondent Nos. 2 and 3. As there is no response from the Respondent Nos. 2 and 3, he submitted a representation on 09.12.2024 requesting the respondents to remove electrical poles from the subject property, still there is

no response from them. Therefore, prayed this Court to direct the respondents to consider his representation and pass appropriate orders.

3. On the other hand, learned Standing Counsel for the Respondents submits that the subject 11 KV line was formed and erected in the year 2005, by that time the petitioner is not a property holder at all. It seems that after lapse of 20 years, he submitted this representation for removal of subject 11 KV electrical transmission line is liable to be rejected on the ground of delay and latches. Therefore, the petitioner is neither entitled for removal of existing 11 KV line laid in the year 2005 nor entitled any compensation as contemplated under the provisions of the Electricity Act, 2003. However, on equity grounds, respondents will consider and pass speaking orders within due course of time.

4. Having considered the submissions of either side, this Court deems it appropriate to dispose of this Writ Petition by directing the Respondent Nos. 2 and 3 to consider the representation of the writ petitioner dated 09.12.2024 and pass appropriate orders, after providing opportunity of hearing to the petitioner, within a period of four (04) weeks from the date of receipt of the copy of this Order.

5. With these directions this Writ Petition is disposed of. There shall be no order as to costs.

6. As a sequel thereto, interlocutory applications pending, if any in the writ petition, shall also stand closed.

JUSTICE VENKATESWARLU NIMMAGADDA

Dt: 27.10.2026
MNR

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