APHC010401712026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3329]**
(Special Original Jurisdiction)

MONDAY, THE 26th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 22428/2026

Between:

1. REDDY VENKATA RAMANAMMA,, W/O. (LATE) BULLI RAJU, AGTJD ABOUT 82 YEARS, R/O. FLAT NO.G-1, LAKSHRRLI NILAYAM APARTMENT, PEMMARAJU VARI STREET, ATTILI VILLAGE AND MANDAL, WEST GODAVARI DISTRICT.

2. REDDY SAI JAGADEESH CHOWDARY,, S/O. (LATE) BULLI RAJU, AGED ABOUT 57 YEARS, OCC. BUSINESS, R/O. FLAT NO.G-1, LAKSHMI NILAYAM APARTMENT, PEMMARAJU VARI STREET, ATTILI VILLAGE AND MANDAL, WEST GODAVARI DISTRICT.

...PETITIONER(S)

AND

1. THE ANDHRA PRADESH EASPRN POWER DISTRIBUTION COMPANY LTD, REP. BY ITS CHAIRMAN AND IV MANAGING DIRECTOR, C/O 50-27-5/1, P AND T COLONY, SEETHAMMADHARA, VISAKHAPATNARN, ANDHRA PRADESH - 530013.

2. THE DEPUTY EXECUTIVE ENGINEER OPERATION, SUB-DIVISION, APEPDCL, TANUKU, WEST GODAVARI DISTRICT.

3. THE ASSISTANT EXECUTIVE ENGINEER, APEPDCL, ATTILI MANDAL, ATTILI VILLAGE, WEST GODAVARI DISTRICT.

4. LAKSHMI NILAYAM APARTMENT FLAT OWNERS ASSOCIATION, REP. BY ITS SECRETARY, RAMAKRISHNA KOYYANA, S/O. SATYANARAYANA, R/O. FLAT NO.201, LAKSHMI NILAYAM APARTMENT, PEMMARAJU VARI STREET, ATTILI VILLAGE AND MANDAL, WFEST GODAVARI DISTRICT

...RESPONDENT(S):

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 toissue an order or direction or Writ more particularly one in the nature of Writ of Mandamus by declaring the action of the Respondents in disconnecting the power supply by removing the fuses of service connection Nos. 1543347022009073, 1543347022009074, 1543347022009071 and 1543347022009072 of Flats Nos.G-4, 301, G-5 and G-6 respectively situated in Lakshmi Nilayam Apartment, Attili Village and Mandal, West Godavari District as illegal, arbitrary, highhanded and contrary to Section 56 of Electricity Act, 1988 and the A.P. Electricity Regulatory Commission (Consumers Right to Information) Regulations, 2000 and violative of principles of natural justice and provisions of The Andhra Pradesh Apartments (Promotion of Construction and Ownership) Act, 1987 and also in violation of Articles 19 and 21 of Constitution of India and consequently direct the respondents to restore the power supply to service Connection Nos. 1543347022009073, 1543347022009074, 1543347022009071 and 1543347022009072 of Flats Nos.G-4, 301, G-5 and G-6 respectively situated in Lakshmi Nilayam Apartment, Attili Village and Mandal, West Godavari District

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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 direct the respondents to restore the power supply to service Connection Nos. 1543347022009073, 1543347022009074, 1543347022009071 and 1543347022009072 of Flats Nos.G-4, 301, G-5 and G-6 respectively situated in Lakshmi Nilayam Apartment, Attili Village and Mandal, West Godavari District, pending disposal of the Writ Petition

Counsel for the Petitioner(S):

1.C PRAKASH REDDY

Counsel for the Respondent(S):

1.V V SATISH (SC for APEPDCL)

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO.22428 OF 2026

ORDER:-

The writ petition has been filed by the petitioner under Article 226 of Constitution of India seeking the following main prayer:

> *"issue an order or direction or Writ more particularly one in the nature of Writ of Mandamus by declaring the action of the Respondents in disconnecting the power supply by removing the fuses of service connection Nos.1543347022009073, 1543347022009074, 1543347022009071 and 1543347022009072 of Flats Nos.G4 301 G5 and G6 respectively situated in Lakshmi Nilayam Apartment Attili Village and Mandal West Godavari District as illegal arbitrary highhanded and contrary to Section 56 of Electricity Act 1988 and the A P Electricity Regulatory Commission Consumers Right to Information Regulations 2000 and violative of principles of natural justice and provisions of The Andhra Pradesh Apartments Promotion of Construction and Ownership Act 1987 and also in violation of Articles 19 and 21 of Constitution of India and consequently direct the respondents to restore the power supply to service Connection Nos.1543347022009073 1543347022009074, 1543347022009071 and 1543347022009072 of Flats Nos,G4 301 G5 and G6 respectively situated in Lakshmi Nilayam Apartment Attili Village and Mandal West Godavari District."*

2. Heard Sri C. Prakash Reddy, learned counsel for the petitioner and Sri V.V. Satish, learned standing counsel appearing for the respondents.

3. Learned counsel for the petitioner has filed a memo of proof of service, dated 01.09.2026, stating that the notice sent to the 4th respondent herein was returned with an endorsement "Refused". In view of the settled position of law, refusal to receive notice amounts to deemed service of notice against the 4th respondent. Hence, none represented on behalf of the 4th respondent.

4. The case of the petitioner is that the petitioner is the landlord and owner of Flats Nos.G-4, 301, G-5 and G-6, respectively, situated in Lakshmi Nilayam Apartment, Attili Village and Mandal, West Godavari District. While so, initially, respondents 2 & 3 herein granted electricity service connection to the said

flats bearing Consumer Nos.1543347022009073, 1543347022009074, 1543347022009071 and 1543347022009072, respectively. It is the grievance of the petitioner that the electricity service connections to the said flats were disconnected without issuing any notice or following the due procedure as prescribed under law. Hence, the present writ petition has been filed.

5. On the other hand, the learned Standing Counsel appearing for the respondents 1 to 3, on written instructions, has categorically stated that the respondent Nos.2 & 3 neither visited the petitioner's premises nor disconnected the electricity service connections pertaining to the aforesaid flats at any point of time. It is further stated that the alleged disconnection said to have been carried out by the 4th respondent-association, due to the disputes between the petitioner and the 4th respondent-association. Therefore, it appears that the disputes are essentially personal in nature between the petitioner and the 4th respondent-association, and respondents 1 to 3 are no way concerned with the alleged disconnection.

6. Having considered the submissions of the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents and perused the material available on record, this Court finds that, in view of the clear and categorical statement made by the learned Standing Counsel appearing for the respondents 1 to 3, that the respondents 1 to 3 are not interfered with the service connection of the petitioner, and it seems there are disputes between the petitioner and the 4th respondent-association. It is not in dispute that the petitioner is flats owner in an apartment managed and

governed by the 4th respondent-association. Any dispute arising between the petitioner and the 4th respondent-association may be resolved before the Court below as per the Bye-Laws of the 4th respondent-association and read with the provisions of Section 23 of the Andhra Pradesh Societies Registration Act, 2001 which is extracted as here under:-

> **"23. Dispute regarding management:**
> In the event of any dispute arising among the Committee or the members of the society, in respect of any matter relating to the affairs of the society, any member of the society may proceed with the dispute under the provisions of the Arbitration and Conciliation Act, 1996, (Central Act 26 of 1996) or may file an application in the District Court concerned and the said Court shall after necessary inquiry pass such order as it may deem fit."

7. In view of the submission made by the learned Standing Counsel appearing for the respondents 1 to 3, who has categorically stated that the disputes are between the petitioner and the 4th respondent-association, this Court is of the view that the petitioner is at liberty to avail appropriate remedy before the competent fourm in accordance with Section 23 of the Andhra Pradesh Societies Registration Act, 2001, subject to its Jurisdiction. In the circumstances, this Court finds no grounds to interfere in the matter in exercise of its writ jurisdiction.

8. Accordingly, the Writ Petition is disposed of with a liberty to the petitioner to approach the competent forum in accordance with law. There shall be no order as to costs.

9. As a sequel, all pending miscellaneous applications shall stand closed.

JUSTICE VENKATESWARLU NIMMAGADDA

Date: 26-10-2026
BSM

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO.22428 OF 2026

Date:-26-10-2026

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