APHC010432882026

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

THURSDAY, THE 8th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 23676 OF 2026

Between:

1. Kodi Venkata Subbarao, S/o. late Kodi Satyanarayana Murthy, Aged about 70 Years, Occ Business, R/o D.No. 33-2-1, achugattapalem, Palakolu, Palakol Mandal, Narasapuram Division, Bhimavaram District, erstwhile West Godavari District.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Special Chief Secretary, Energy Department, Secretariat Buildings, A.P. Secretariat, Velagapudi, Amaravati, Guntur District- 522238.

2. The Executive Divisional Engineer Operations, Andhra Pradesh Eastern Power Distribution Company Limited (APEPDCL), Divisional Office, Narasapuram, West Godavari District- 534275.

3. The Assistant Executive Divisional Engineer Operations, Andhra Pradesh Eastern Power Distribution Company Limited (APEPDCL), Palakollu, Palakollu Town and Mandal, West Godavari District- 534260.

4. The Assistant Executive Engineer Operations, Andhra Pradesh Eastern Power Distribution Company Limited (APEPDCL), Palakollu, Palakollu Town and Mandal, West Godavari District- 534260.

5. The Line Man Swamy, Andhra Pradesh Eastern Power Distribution Company Limited (APEPDCL), Palakollu, Palakollu Town and Mandal, West Godavari District- 534260.

6. Merla Subbarao, S/o. Bullayya, Aged about 62 years, R/o. D.No. 3-83, Siddantham, Tanuku Mandal, West Godavari District 534326.

7. Thota Satyanarayana Raja Ramamohan Royal, S/o. Narasimha Rao, Aged about 64 years, R/o. D.No. 52-8-7, Occ Cultivation, Palakol, Palakol Mandal, Narasapuram Division, West Godavari District 534260.

8. Yalakala Ranga Rao, S/o. Apparao, Aged about 44 years, Occ Business, R/o. D. No. 8-6-31, 1st ward, street no. 4, Palakol, Palakol Mandal, Narasapuram Division, West Godavari District 534260. RR 6 to 8 are impleaded as per Courts Order Dt. 24.09.2026 in I.A.No.2 of 2026

...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 of the Respondents herein particularly Respondent Nos. 2 to 5 in failing to take steps and complete the restoration of electricity power supply to the petitioner's vacant land situated at R.S. No. 210 in 14th Ward vide Assessment No's 1079009317 and 1079009318 of palakollu city, palakollu village and Mandal, West Godavari District and the arbitrary disconnection of power supply bearing Service No. 1534521001002235 and UKSCNo. 21052768 without following due procedure of law and in total disregard and contempt of the court of the interim order of Status Quo dated 10.05.2024, is totally illegal, arbitrary, erroneous, amounting to contempt of court and violative of Article 14, 21 and 300 A of The Constitution of India and consequently direct the Respondents No. 5 to complete the process of restoration of service connection of the Petitioner vacant land basing on the hon'ble court was

pleased to direct Interim order to maintain Status-quo the order dated. 10.05.2024.

IA NO: 1 OF 2026

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 Respondent Nos. 2 to 5 to complete the process of restoration of service connection to the Petitioner's vacant Land situated at R.S. No. 210 in 14th Ward vide Assessment No's 1079009317 86 1079009318 of palakollu city, palakollu village and Mandal, West Godavari District and to initiate contempt proceedings against the Respondents forthwith, pending disposal of the above Writ Petition

IA NO: 2 OF 2026

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 May be pleased to implead the proposed respondent no 6 to 8 herein as Respondent no. 6 to 8 in the writ petition as well as the interlocutory application 1 of 2026 and pass

Counsel for the Petitioner: MALLELA MALI

Counsel for the Respondents: GP FOR ENERGY Counsel for the Respondents:V V SATISH (SC for APEPDCL)

The Court made the following order:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 23676 OF 2026

ORDER:

The present Writ Petition is filed under Article 226 of the Constitution of India seeking following relief:

> *"to issue a Writ or order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents herein particularly Respondent Nos.2 to 5 in failing to take steps and complete the restoration of electricity power supply to the petitioner's vacant land situated at R.S.No.210 in 14th Ward vide Assessment Nos:1079009317 and 1079009318 of palakollu city, palakollu village and Mandal, West Godavari District and the arbitrary disconnection of power supply bearing Service No.1534521001002235 and UKSCNo.21052768 without following due procedure of law and in total disregard and contempt of the court of the interim order of Status Quo dated 10.05.2024, is totally illegal, arbitrary, erroneous, amounting to contempt of court and violative of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the Respondents No.5 to complete the process of restoration of service connection of the Petitioner vacant land basing on the Hon'ble court was pleased to direct Interim order to maintain Status-quo the order dated 10.05.2024 and pass such other order or orders…"*

2. Heard learned counsel for the petitioner and the learned Standing Counsel for the respondent Nos.1 to 5.

3. The case of the petitioner is that the petitioner herein is in possession of the vacant land admeasuring to an extent of 128.5 sq.yds in R.S.No.210, 14th

Ward *vide* Assessment Nos:1079009317 and 1079009318, Palakollu city, Palakollu Village and Mandal, West Godavari District, having acquired the same through an unregistered deed of agreement from the vendor Sri M.Subba Rao on 17.12.2012. While so, the respondent authorities disconnected the electricity service connection of the petitioner on the ground that the unofficial respondents herein have submitted an application seeking removal and dismantling the electricity service connection in respect of the subject premises of the petitioner. He further submits that the said electricity service connection was not standing in the name of the vendor of petitioner but it is standing in the name of the earlier owner i.e., vendor's vendee, which was granted in the year 1960. He further submits that there are disputes between the petitioner and vendor and a civil suit is also pending before the trial court, wherein, the trial court passed an order of 'Status quo' in O.S.No.68 of 2024 dated 10.05.2024 in favour of the petitioner. Even though the Suit is pending and order of status quo is subsisting, contrary to the orders of status quo, the respondents got disconnected the electricity service connection of the petitioner under the guise of an application was submitted by the original service connection holder, who is not a party to the suit. He further submits that the said disconnection was happened without following the due procedure and without observing principles of natural justice. Hence, the action of the respondents in disconnecting the electricity service connection in respect of the petitioner's premises without following due procedure is contrary to law and liable to be set aside.

4. On the other hand, learned Standing counsel furnished written instructions wherein, it is stated as follows:

> *"In this regard it is to submit that the above service was released on 20.02.1969 in the name of Shri Annam Subbarao at location SS-13/A/7 in Palakol municipal area. Service premises is completely damaged and supply is not using since long time and since 2009 supply is not using as per EPDCL online records. On 21.08.2025, Sri.Annam Narendra Kumar Son of Manikya Rao has applied for permanent dismantlement of the service number 1534521001002235 Palakollu town as they are not utilising supply and house is in collapsing stage. On verification of the service owner ship details it is came to know that Shri.Annam Narendra Kumar is the only son of Shri.A.manikyala Rao who is the only son of Shri. Annam Subbarao, the registered consumer, thus become a legal heir or family member and produced relevant ownership documents like his father's death certificate, his aadhar, family member's certificate at the time he applied online request at meeseva for permanent dismantlement of the service No.1534521001002235, Palakol municipal area and service was made NB (no billing) on 21.10.2025. Thus the service which was not in use for 2 decades has been made bill stopped as per the request made by the legal heir or family member of the deceased registered consumer of the service only.And not as complaint made by the petitioner, there is no link between neela Subbarao or kodi Subbarao to the registered consumer sri. Annam Subbarao and there is no court cases pending against the scno. 1534521001002235 of Palakol municipal area. Further we have disconnected the nil operated service only. And the consumer is advised to apply for fresh electricity connection duly producing the ownership documents if they need electricity."*

5. She further submits that the respondents have received an application seeking for removal and dismantling of the electricity service connection in

respect of the subject house submitted by the original service connection holder i.e., A.Subba Rao. She further submits that as per the terms of the General Terms and Conditions of Supply, once the holder of the service connection made an application for removal and dismantle of electricity service connection, the respondents have no other option except to adhere with the request of the service holder. In the instant case, such an application was submitted by the son of the original holder, so the respondent authorities acted upon the said application, who entitled to sought for removal as well as disconnection. It is further submitted that the petitioner did not prove his title or possession over the subject property.

6. Heard the submissions made by both the learned counsel and perused the material placed on record. In fact the petitioner did not prove his title or possession over the subject property and therefore, the respondents disconnected the electricity service connection in respect of the petitioner's premises pursuant to the application submitted by the original holder. Moreso, if the petitioner is able to prove his possession over the subject property, the respondents would have been considered the same and passed appropriate orders. Admittedly, the respondents being public authority neither observed the due procedure nor principles of natural justice as contemplated. The action of the respondents is contrary to the basic tenet of law of administration. Hence, the respondents are directed to conduct physical survey or identification of the property in the presence of the petitioner and the unofficial respondent Nos. 6 to 8 and pass appropriate orders. After conducting such survey or enquiry and

as per the survey/enquiry report, the respondents are directed to restore the electricity service connection of the petitioner, if the petitioner is otherwise eligible. However, the petitioner is at liberty to make an application afresh seeking new service connection by submitting all the required documents within a period of one week. After such submission, the respondents are directed to consider the same and pass appropriate orders within a period of two (02) weeks, thereafter.

7. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous petitions, if any, pending shall stand closed.

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VENKATESWARLU NIMMAGADDA, J

08.10.2026
BSP

119

HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 23676 OF 2026

08.10.2026
BSP