APHC010553982026

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: 30274 OF 2026

Between:

1. Vadlamudi Nagendra, S/o. Rama Mohan Rao, aged 50 years, Occ Agriculture, R/o. D.No. 20-5-699, Mutyala Reddy Nagar Main Road, Amaravathi Road, Chandramouli Nagar, Guntur, Guntur District 522007.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Energy Department, Secretariat, Velagapudi, Amaravati, Guntur District.

2. Andhra Pradesh Central Power Distribution Corporation Limited, Rep. by its Chairman and Managing Director, Corporate Office at Beside Polytechnic College, ITI Road, Vijayawada, NTR District (formerly Krishna District).

3. The Superintending Engineer Operation, Andhra Pradesh Central Power Distribution Corporation Limited, Operation Circle, Krishna, Vijayawada, NTR District (formerly Krishna District).

4. The Executive Engineer Operation, Andhra Pradesh Central Power Distribution Corporation Limited, Gudivada Division, Gudivada, Krishna District.

5. The Deputy Executive Engineer Operation, Andhra Pradesh Central Power Distribution Corporation Limited, Hanuman Junction Sub-Division, Hanuman Junction, Bapulapadu Mandal, Krishna District.

6. The Assistant Engineer Operation, Andhra Pradesh Central Power Distribution Corporation Limited, Telaprolu Section, Unguturu Mandal, Krishna District.

7. The Tahsildar, Gannavaram Mandal, Krishna 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 a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus for declaring the inaction of the respondents 2 to 6 in releasing the agricultural service connection to the borewell of the petitioner in Re-Survey No.393/2A of Pottipadu Village, Unguturu Mandal, Krishna District, applied on 10.11.2024 despite payment of the entire charges of Rs.39,141/- on 29.11.2024, as illegal, arbitrary, violative of Section 43 of the Electricity Act, 2003 and Articles 14 and 21 of the Constitution of India and unconstitutional and consequently direct the respondents to complete the erection of poles and line through the demarcated Government donka poramboku land in Sy.No.274/4 of Balliparru Village, Gannavaram Mandal, Krishna District and thereby release the agricultural service connection to the borewell of the petitioner forthwith and to pass

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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 pleased to direct the respondents to complete the erection of poles and line through the demarcated Government donka poramboku land in Sy.No.274/4 of Balliparru Village, Gannavaram Mandal, Krishna District and thereby release

the agricultural service connection to the borewell of the petitioner forthwith, pending disposal of the main writ petition and to pass

Counsel for the Petitioner: RAMESH BABU TALLURI

Counsel for the Respondents: GP FOR ENERGY Counsel for the Respondents:GP FOR REVENUE

Counsel for the Respondents:V V SATISH

The Court made the following order:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

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ORDER:

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

> *"to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus for declaring the inaction of the respondent Nos.2 to 6 in releasing the agricultural service connection to the borewell of the petitioner in Re-Survey No.393/2A of Pottipadu Village, Unguturu Mandal, Krishna District, applied on 10.11.2024 despite payment of the entire charges of Rs.39,141/- on 29.11.2024, as illegal, arbitrary, violative of Section 43 of the Electricity Act, 2003 and Articles 14 and 21 of the Constitution of India and unconstitutional and consequently direct the respondents to complete the erection of poles and line through the demarcated Government donka poramboku land in Sy.No.274/4 of Balliparru Village, Gannavaram Mandal, Krishna District and thereby release the agricultural service connection to the borewell of the petitioner forthwith and to pass"*

2. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

3. Learned counsel for the petitioner submits that the petitioner submitted an application dated 10.11.2024 for grant of electricity service connection to the agricultural bore well situated in Re-survey No.393/2A of Pottipadu Village, Unguturu Mandal, Krishna District. Pursuant to the application submitted by the petitioner, the respondents issued an estimation of cost for laying of electrical poles/lines and for granting electricity service connection in favour of the petitioner. Pursuant to the estimation arrived by the respondents, the petitioner

paid the said amount on 29.11.2024 and the electrical poles were dropped at the site where the electrical poles to be laid, including at the field of the petitioner. Even after lapse of nearly two years, the respondents neither laid electrical poles and granted electricity service connection nor issued any other proceedings rejecting the claim of the petitioner. Hence, the Writ Petition.

4. On the other hand learned Standing Counsel for the respondents submits that due to the objections raised by the neighbouring land owners, a survey has to be conducted and specific demarcation to be drawn in respect of the subject Balliparru Donka and neighbours lands. Till completion of the said survey and demarcation of the Government Donka and neighbours lands, the respondents are unable to complete the erection of electrical poles and to grant electricity service connection to the petitioner.

5. For which, the learned counsel for the petitioner submits that as per the request of the petitioner, respondent No.7 herein has already conducted survey and issued an endorsement dated 26.03.2026, wherein it is clearly stated that there is a Government Donka leading to Balliparru Village. The subject land to which electricity service connection to be granted is adjacent to that Village/Government Donka. Therefore, the electrical poles can be laid through the Government Village Donka.

6. Heard the submissions made by both the counsel and perused the material placed on record. The fact remains that the petitioner submitted an

application dated 10.11.2024 for grant of electricity service connection and paid the requisite amount as per the endorsement of the respondents for laying the electric poles. The only objection raised by the learned Standing Counsel is that for the laying of electric line to the petitioner's bore well was obstructed due to the objections received from the neighboring land owners. In fact, the line/alignment for laying of electrical poles was drawn through the Government Donka Poramboke which is called as Balliparru Donka only. Therefore, the respondents did not identify the land of the neighbors either for laying poles or for transmitting the service lines through the neighbors lands. In the absence of requirement of land for laying either pole or right of way of electrical transmission line, the objections of the neighbors would not be considered as per Section 43 of the Electricity Act, 2003 as well as Section 10(d) of Indian Telegraph Act, 1885. Therefore, the respondents confer right of way through the Government Poramboke Donka. It is further observed that the survey report submitted by respondent No.7 dated 26.03.2026, wherein it is categorically held that the alleged neighbor land owners had encroached the subject Government Balliparru donka and cultivated the same. Therefore, they are not entitled to claim any rights in respect of public Donka. In view of the same, the respondents need not be waited for demarcation of the lands of the neighbours and the Government Donka which was already surveyed and identified as Government Donka leads to Balliparru Village in clear and categorical manner. Therefore, the respondent Nos.3 to 6 are hereby directed to complete the laying of electrical lines and

granting electricity service connection to the petitioner, within a period of six(6) weeks from the date of receipt of copy of this order.

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

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

VENKATESWARLU NIMMAGADDA, J

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