APHC010559752026

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: 30535 OF 2026

Between:

1. Mandru Geetha, W/o. Late Mandru Kishore, aged about 46 years, Outsourcing Employee, R/o. Door No. 19-62, Sanjeevaiah Nagar, Yanamalakuduru, Krishna District

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Energy Department Secretariat Buildings, Velagapudi, Amaravati, Guntur-522237

2. Andhra Pradesh Central Power Distribution Corporation Ltd, (APCPDCL), rep. by its Assistant Engineer, Vijayawada Yanamalakuduru Section, N.T.R.District-520007

3. Mandru Nancharaiah Alias Joshaf, S/o. Swamidasu, Christian, aged about 70 years R/o. Door No. 19-62, Sanjeevaiah Nagar, Yanamalakuduru, Krishna District-520007

4. Mandru Victoria, W/o. Mandru Nancharaiah, aged about 65 years R/o. Door No. 19-62, Sanjeevaiah Nagar, Yanamalakuduru, Krishna District-520007

5. Mandru Kamal Dasu, S/o. Mandru Nancharaiah, aged about 42 years, R/o. Door No. 19-62, Sanjeevaiah Nagar, Yanamalakuduru, Krishna District-520007

6. Mandru Sucharitha, W/o. Mandru Kamal Dasu, aged about 35 years, R/o. Door No. 19-62, Sanjeevaiah Nagar, Yanamalakuduru, Krishna District-520007

7. LeIla Kalyani, W/o. Jaya Babu, aged about 40 years, Rio. Door No. 19-62, Sanjeevaiah Nagar, Yanamalakuduru, Krishna District-520007

...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 declaring the action of Respondent No. 2 in disconnecting the electricity service connection bearing Service Connection No. 6521411018509 to the Petitioners dwelling portion at Door No. 19-62, Sanjeevaiah Nagar, Yanamalakuduru, Krishna District, and refusing to restore the same despite the subsistence of the interim injunction order dated 06-07-2023 passed in I.A. No. 176 of 2023 in O.S. No. 1474 of 2023 on the file of the learned II Additional Junior Civil Judge, Vijayawada, as illegal, arbitrary, and violative of Articles 14 and 21 of the Constitution of India and consequently to direct the Respondent No. 2 to forthwith restore/reconnect the electricity supply under Service Connection No. 6521411018509 to the Petitioner's portion at Door No. 19-62, Sanjeevaiah Nagar, Yanamalakuduru, Krishna District 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 Respondent No. 2 to forthwith restore the electricity supply under Service Connection No. 6521411018509 to the Petitioner's residential portion at Door No. 19-62, Sanjeevaiah Nagar, Yanamalakuduru, Krishna District pending disposal of the above writ petition and to pass

Counsel for the Petitioner: ALAPATI LALITH NIKHIL

Counsel for the Respondents: GP FOR ENERGY 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:-

This Writ Petition is filed under Article 226 of the Constitution of the India seeking the following reliefs:-

> *"to issue an appropriate Writ, order or direction mostly one which is in the nature of a Writ of Mandamus declaring the action of Respondent No.2 in disconnecting the electricity service connection bearing Service Connection No.6521411018509 to the Petitioner's dwelling portion at Door No.19-62, Sanjeevaiah Nagar, Yanamalakuduru, Krishna District, and refusing to restore the same despite the subsistence of the interim injunction order dated 06.07.2023 passed in I.A.No.176 of 2023 in O.S.No.1474 of 2023 on the file of the learned II Additional Junior Civil Judge, Vijayawada, as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India and consequently to direct the Respondent No.2 to forthwith restore/reconnect the electricity supply under Service Connection No. 6521411018509 to the petitioner's portion at Door No.19-62, Sanjeevaiah Nagar, Yanamalakuduru, Krishna District and pass such other order or orders…."*

2. Heard the learned counsel for the petitioner and learned Standing Counsel for respondent No.2.

3. Learned counsel for the petitioner submits that the petitioner herein is in possession of house property bearing D.No.19-62, Sanjeevaiah Nagar, Yanamalakuduru, Krishna District. He further submits that the electricity service connection to the subject house was stands in the name of respondent No.3 herein. For the reasons best known to respondent No.3 and due to civil disputes, respondent No.3 made a representation to the respondent authorities for disconnection of the electricity service connection. Ignoring the possession of the petitioner over the subject property and without issuing any

notice, the respondent No.2 disconnected the electricity service connection. He further submits that the petitioner was granted temporary injunction in Civil Suit pending between the petitioner and respondent No.3 i.e., O.S.No.1474 of 2023 on the file of the II Additional Junior Civil Judge, Vijayawada. Even after granting temporary injunction in favour of the petitioner, which proves that the petitioner is in possession of the property, the respondent authorities neither receiving the application seeking for new electricity service connection nor restoring the electricity service connection stands in the name of the respondent No.3 by transferring the electricity service connection in the name of the petitioner. Hence, the Writ Petition.

4. Learned counsel for the petitioner also relied upon the judgment rendered by the High Court of Delhi in ***Shri Maiki Jain Vs. Bses Rajadhani Power Ltd and orders***[1], wherein it is held as follows:

> *"10. It is to be noted that electricity is a basic necessity and an integral part of right to life under Article 21 of the Constitution of India. Thus, as long as the petitioner is in possession of the property in question, he cannot be deprived of the same."*

5. On the other hand, learned Standing counsel for respondent No.2 submits that due to the representation of the respondent No.3, the electricity service connection was disconnected since it stands in the name of respondent No.3. She further submits that there is a civil dispute pending between the petitioner and respondent No.3 and because of the civil dispute

[1] W.P.(C).No.18953 of 2025

and due to representation made by the respondent No.3, the electricity service connection was disconnected in the year 2023 itself. Even though temporary injunction was granted in favour of the petitioner in the year 2023, but reasons known to him the petitioner herein neither submitted any representation nor made any application as required proving her possession over the subject property till date by annexing the orders of injunction granted by court below for granting fresh electricity service connection. If she comes forward to make such application by proving her possession of the subject property and seek for service connection afresh, the respondents may consider and grant electricity service connection in accordance with law.

5. Heard the submissions made by both the learned counsel and perused the material placed on record. It is observed that the petitioner herein is daughter-in-law of respondent No.3 and she has been in possession and enjoyment of the subject property as evident from the temporary injunction granted by the Court below. As contended by the learned Standing Counsel for the respondents that there is a civil dispute between the petitioner and respondent No.3, wherein the petitioner was granted temporary injunction for continuation of her possession over the subject property. Whereas, Section 43 of the Electricity Act, 2003, contemplates that an occupier is also entitled for electricity service connection. Moreso, electricity service is classified as an emergency service and also one of the basic amenities. Therefore, the petitioner is entitled for electricity service connection afresh as long as she is in possession of the subject property. Moreover, on perusal of the judgment

relied by the learned counsel for the petitioner as referred supra, it clarifies that the electricity service connection is one of the basic amenities/necessity. In view of the same the petitioner is entitled to have service connection. In view of the temporary injunction granted in favour the petitioner, the petitioner is hereby directed to submit a fresh application as required under GTCS, within a period of two (2) weeks from the date of receipt of copy of this order. After such submission, respondent No.2 is directed to consider the same and pass a speaking order after hearing all stakeholders, if necessary and grant electricity service connection in favour of the petitioner, within a period of four(4) weeks thereafter.

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

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

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VENKATESWARLU NIMMAGADDA, J

Date:27.10.2026
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