

**IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD  
(Special Original Jurisdiction)**

**TUESDAY, THE THIRD DAY OF FEBRUARY  
TWO THOUSAND AND TWENTY SIX**

**PRESENT**

**THE HONOURABLE SMT JUSTICE RENUKA YARA**

**WRIT PETITION NO: 24522 OF 2024**

**Between:**

1. The Superintending Engineer Operation, Rajendranagar, Telangana State Southern Power Distribution Company Limited, Rajendranagar Circle.
2. The Superintending Engineer, DPE, Corporate office, Telangana State Southern Power Distribution Company Limited, Hyderabad.
3. The Divisional Engineer, operation, Rajendranagar Telangana State Southern Power Distribution Company Limited, Rajendranagar Circle.
4. The Assistant Accounts Officer, ERO, Gaganpahad, Telangana State Southern Power Distribution Company Limited (TSSPDCL), Rajendranagar Circle.
5. The Assistant Divisional Engineer, Operation, Gaganpahad, Telangana State Southern Power Distribution Company Limited (TSSPDCL), Rajendranagar Circle.
6. The Assistant Engineer, Operation, Kattedan, Telangana State Southern Power Distribution Company Limited (TSSPDCL), Rajendranagar Circle.

**...PETITIONERS**

**AND**

1. Sri. Anil Kumar, Shed No. E-9, Sy. No. 48, SCIC, Kattedan, Rajendranagar, Hyderabad 500 077.
2. Vidyut Ombudsman for the state of Telangana, First Floor 33/11 KV Substation, Beside Hyderabad Boat Club Lumbini Park, Hyderabad - 500 063

**...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, order or direction more particularly one in the nature of writ of certiorari by calling for the records and to quash the orders dated 28/06/2024 in Appeal No. 12 of 2024-25 on the file of the 2nd Respondent as arbitrary, illegal unjust and contrary to the law and facts of the case and to quash the same.

**IA NO: 1 OF 2024**

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 to stay the operation of the final orders dated 28/06/2024 in Appeal No. 12 of 2024-25 on the file of the 2nd Respondent.

**Counsel for the Petitioners: SRI N.SREEDHAR REDDY, SC FOR TGSPDCL**

**Counsel for the Respondent No.1: Ms.NISHTHA**

**Counsel for the Respondent No.2: - - -**

**The Court made the following: ORDER**

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

HON'BLE SMT. JUSTICE RENUKA YARA

W.P.No.24522 of 2024

03<sup>rd</sup> FEBRUARY, 2026

Between:

The Superintending Engineer Operation,  
Rajendranagar, Telangana State Southern Power  
Distribution Company Limited,  
Rajendranagar Circle and five others

... Petitioners

AND

Sri Anil Kumar and another

... Respondents

**ORDER:**

Heard Sri N.Sreedhar Reddy, learned Standing Counsel for  
Telangana State Southern Power Distribution Company Limited  
appearing for the petitioners and Ms. Nishtha, learned counsel  
appearing for the 1<sup>st</sup> respondent.

2. Challenging the order dated 28.06.2024 passed in Appeal  
No.12 of 2024-2025 by the 2<sup>nd</sup> respondent-Vidyut Ombudsman,  
the present writ petition is filed.

3. It is the case of the petitioner-TGSPDCL that the 1<sup>st</sup>  
respondent has been provided with a service connection bearing

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S.C.No.3405 00689 under LT-III Category (industrial) for a contracted load of 74 HP. When the 5<sup>th</sup> petitioner-Assistant Divisional Engineer inspected the service connection of the 1<sup>st</sup> respondent, he noticed that the 1<sup>st</sup> respondent has exceeded the contracted load from 74 HP to 108.367 HP. When once the contracted load exceeds, the billing shall be automatically under HT Category in the energy billing system and the bill shall be raised based on HT tariff. Since the 1<sup>st</sup> respondent has exceeded the contracted load, HT bill was raised from 09.03.2024 to 06.04.2024 under HT Category-I. Hence, the 1<sup>st</sup> respondent submitted a representation dated 15.04.2024 seeking to revise the bill with LT tariff rates. Thereupon, the petitioner-Company *vide* letter 24.04.2024 informed the 1<sup>st</sup> respondent that as the contracted load was exceeded, the bill cannot be revised. Challenging the said HT Bill as well as the letter, the 1<sup>st</sup> respondent has filed a complaint before the Consumer Grievances Redressal Forum of TGSPDCL (Greater Hyderabad Area) seeking to set aside the claim of excess amount of Rs.3,55,165/- pertaining to the period from 09.03.2024 to 06.04.2024 and to issue revised bill with LT tariff rates. The Forum *vide* order dated 07.06.2024 dismissed the grievance

complaint of the 1<sup>st</sup> respondent. Challenging the said order dated 07.06.2024, the 1<sup>st</sup> respondent has approached the 2<sup>nd</sup> respondent-Vidyut Ombudsman by filing Appeal No.12 of 2024-25. The 2<sup>nd</sup> respondent *vide* order dated 28.06.2024 allowed the said appeal by setting aside the order dated 07.06.2024 passed by the Forum by directing the petitioners herein to remove the HT flag posted for the subject service connection and also to revise the CC bills in respect of the subject service connection for the month of April 2024 as per the Clause 10.12.10(iv) of Retail Supply Tariff Order for FY 2023-24 i.e., to bill the excess demand to the extent of exceeded RMD over 75 KVA with HT tariff rates and the balance demand shall be billed under LT category III only and adjust the excess amount claimed out of Rs.3,55,165/- along with simple interest @ 9% p.a. as per Clause 2.49(b) of Regulation No.3 of 2015 within thirty days. Hence, the writ petition.

4. Learned Standing Counsel appearing for the petitioners contended that the 2<sup>nd</sup> respondent-Vidyut Ombudsman made a differentiation between applicability of tariff under Clause 12.3.3 of General Terms and Conditions of Supply (GTCS) for Additional Connected Loads detected in LT Services Cases and

applicability of HT Category-I tariff under Clause 10.12.10(iv) of Retail Supply Tariffs and Cross Subsidy Surcharge for the Financial Year 2023-24. When there is an occasional rise in the connected load, HT-1 category would be applicable but not for the entire month.

5. Learned Standing Counsel further contended that the 2<sup>nd</sup> respondent has observed that the Forum has erroneously applied the tariff on the basis of aforesaid Clause 12.3.3, though there were no additional connected loads. The only occurrence was occasional rise, above the contracted load, and therefore, tariffs are applicable under the aforesaid Clause 10.12.10(iv). In that context, the learned Standing Counsel placed reliance on the ratio laid down by the Apex Court in *Central Council for Research in Ayurvedic Sciences and another vs. Bikartan Das and others*.<sup>1</sup>

6. Learned Standing Counsel conceded that tariff under aforesaid Clause 12.3.3 is applicable only when additional connected loads are detected, but not for the occasional rise. The HT-I tariff is applicable for stray incidents of consumption

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<sup>1</sup> 2023(16) SCC 462

above the contracted load, but not for the entire period of consumption.

7. Learned counsel for the 1<sup>st</sup> respondent supported the findings given by the 2<sup>nd</sup> respondent-Vidyut Ombudsman about applicability of the aforesaid Clause 10.12.10 (iv).

8. In view of applicability of the aforesaid Clause 12.3.3, which is applicable to additional connected load and Clause 10.12.10 (iv), which is applicable to occasional consumption of above contracted load, this Court does not see any ground to interfere with the impugned order passed by the 2<sup>nd</sup> respondent. There are no grounds to entertain the present writ petition.

9. Accordingly, the Writ Petition is dismissed. No costs.

Miscellaneous petitions, if any, pending in this petition, shall stand closed.

**SD/- M. JAWAHAR REDDY  
ASSISTANT REGISTRAR**

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**SECTION OFFICER**

To,

1. One CC to SRI N.SREEDHAR REDDY, SC FOR TGSPDCL, Advocate [OPUC]
2. One CC to SRI NISHTHA, Advocate [OPUC]
3. Two CD Copies

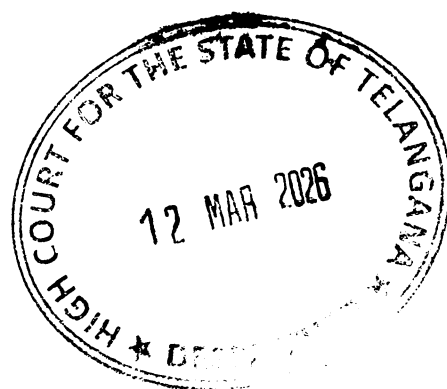
PMK

GJP

*lps*

**HIGH COURT**

**DATED:03/02/2026**



**ORDER**

**WP.No.24522 of 2024**

**DISMISSING THE WRIT PETITION  
WITHOUT COSTS**

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Kpr  
12/3/26