

**THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

**WRIT PETITION No.25187 of 2017**

**ORDER:**

The petitioner is having a service connection bearing SC No.055805148. While so it was inspected on 08.06.2017 by the DE, DPE, Medak, and it was found that the meter was under tampered condition and R and Y phase CT's incoming wires were cut by the consumer intentionally and percentage of error was 65.9. Accordingly, theft of energy case was booked under Section 135 of the Electricity Act, 2003. A provisional assessment of electrical charges was made and pending determination of civil liability, the petitioner was asked to make payment of 50% of the assessed amount i.e., Rs.5,25,187.5 and supervision charges of Rs.100/- along with reconnection charges of Rs.75/- for restoration of supply and to pay the balance 50% amount in two installments. Challenging the same, the present Writ Petition is filed.

In the circumstances and in view of insisting for payment of 50% of the assessed amount, this Court feels that the case of the petitioner shall be referred for determination of civil liability, on condition of the petitioner paying 1/4<sup>th</sup> (one fourth) of the provisionally assessed amount to the respondents, within a period of thirty (30) days. On such payment, the electricity service connection shall be restored to the petitioner and the case of the petitioner shall be referred to the Special Court for determination of civil liability.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

31.07.2017  
vs

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**(A.RAMALINGESWARA RAO, J)**

