

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

TUESDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION NO: 9466 OF 2020

Between:

Bojja Narayana Reddy, S/o Bojja Chinna Reddy, Aged 63 years, Occ: Business,
H.No 16-3-224/4, Plot No 54, Vasant Nagar, Near Hyder Nagar, Kukatally,
Hyderabad 500085.

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary, Power and Energy Department Secretariat, Hyderabad.
2. Southern Power Distribution Company of T.S.LTD, Rep By its Chairman and Managing Director Mint Comount, Hyderabad
3. The Superintending Engineer(Operations) Southern Power Distribution Company of T.S.LTD, Medchal Circle, Medchal
4. The Divisional Engineer (Operations), Southern Power Distribution Company of T.S.LTD Medchal Circle, Medchal
5. The GHMC, Rep by its Commissioner, Lower Tank Bund, Hyderabad

...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 a writ of "Mandamus" declaring the action of the Respondents in not releasing the electricity connections pertaining to the Plot no 47P and 48, Sy.No.233/O bearing SC.No 22004-15125, Nizampet(Vg), Hydernagar(Distribution) in HyderNagar Section of Miyapur Sub-Division of Kukatpally Division of Medchal Circle is being illegal, arbitrary and unconstitutional and in violation of principles of natural justice and article 21 and consequently direct the official respondent to release power supply to the same without insisting for occupancy certificate.

IA NO: 1 OF 2020

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 direct the official respondents 2 to 4 to release power supply in respect of the Plot no 47P and 48, Sy.No.233/O bearing SC.No.22004-15125, Nizampet(Vg), Hydernagar (Distribution) in Hyder Nagar Section of Miyapur Sub-Division of Kukatpally Division of Medchal Circle, pending disposal of the Writ Petition.

Counsel for the Petitioner: SRI. LAKSHMIKANTH REDDY DESAI

Counsel for the Respondent No.1: GP FOR ENERGY

Counsel for the Respondent Nos.2 to 4: SRI. R. VINOD REDDY, SC FOR TSSPDCL

**Counsel for the Respondent No.5: SRI. SAMPATH PRABHAKAR REDDY,
SC FOR GHMC**

The Court made the following: ORDER

WRIT PETITION No.9466 OF 2020

ORDER:

This Writ Petition is filed for the following relief:

"...to issue a writ, order direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not releasing the electricity connections pertaining to the plot Nos.47P & 48, Sy.o.233/O, bearing SC.No.22004-15125, Nizampet (V), Hydernagar (Distribution) in Hydernagar Section of Miyapur Sub-Division of Kukatpally Division of Medchal Circle is being illegal, arbitrary and unconstitutional and in violation of principles of natural justice and Article 21 and consequently direct the official respondent to release power supply to the same without insisting for occupancy certificate..."

2. When the matter is taken up, it is submitted by the learned counsel for the petitioner that the issue raised in the present Writ Petition is squarely covered by the order dated 26.07.2018 passed by this Court in W.P.No.26085 of 2018.

3. Learned Government Pleader for Energy, appearing for respondent No.1 and Sri R.Vinod Reddy, learned Standing Counsel for Telangana State Southern Power Distribution Company Limited, appearing for respondent Nos.2 to 4, do not dispute the aforesaid submission.

4. In view of the above, for the reasons alike in the said order, this Writ Petition is disposed of directing the respondents to release power supply to the premises of the petitioner subject to the compliance of the terms and conditions and on furnishing an undertaking to produce the occupancy certificate fro the concerned Municipal Corporation within a prescribed period, and if no such

occupancy certificate is produced within such period, it is open to the respondents to take appropriate action in accordance with law.

Miscellaneous petitions pending, if any, shall stand disposed of.

There shall be no order as to costs.

//TRUE COPY//

SD/-M.MANJULA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Power and Energy Department, State of Telangana, Secretariat, Hyderabad
2. The Chairman and Managing Director, Southern Power Distribution Company of T.S.LTD, Mint Compound, Hyderabad.
3. The Superintending Engineer(Operations) Southern Power Distribution Company of T.S.LTD, Medchal Circle, Medchal.
4. The Divisional Engineer (Operations), Southern Power Distribution Company of T.S.LTD Medchal Circle, Medchal
5. The Commissioner, GHMC, Lower Tank Bund, Hyderabad
6. One CC to Sri Lakshmikanth Reddy Desai, Advocate [OPUC]
7. Two CCs to the GP for Energy, High Court for the State of Telangana at Hyderabad. (OUT)
8. One CC to Sri. R. Vinod Reddy, SC FOR TSSPDCL [OPUC]
9. One CC to Sri. Sampath Prabhakar Reddy, SC FOR GHMC [OPUC]

(Along with a copy of order, dated 26.07.2018 in W.P.No.26085 of 2018)

10. Two CD Copies

CHR



HIGH COURT

DATED:30/06/2020

ORDER

W.P.No.9466 of 2020



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(12) VLV
10/7/20

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.26085 of 2018

ORDER:

Heard counsel for the petitioner, Sri R. Vinod Reddy, Standing Counsel for Telangana State Southern Power Distribution Corporation Limited, appearing for respondents 1 to 3, and Sri L.Venkateshwar Rao, Standing Counsel for Greater Hyderabad Municipal Corporation, appearing for 4th respondent.

2. It is stated by learned counsel appearing for the petitioner as well as Sri R.Vinod Reddy, Standing counsel appearing for respondent Nos.1 to 3 that the issue in this Writ Petition is covered by the order of this Court dt.23.03.2018 in W.P.No.9789 of 2018.

3. Therefore for reasons alike, this Writ Petition is also disposed of with a direction to the respondents to release the power supply to the premises of the petitioner subject to the compliance of the terms and conditions and on furnishing an undertaking to produce the occupancy certificate from the concerned Municipal Corporation within a prescribed period, and if no such occupancy certificate is produced within such period, it is open to the respondents to take appropriate action in accordance with law. There shall be no order as to costs.

4. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

M.S.RAMACHANDRA RAO, J

26th July, 2018.

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