

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

(Special Original Jurisdiction)

**FRIDAY ,THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 22836 OF 2022

Between:

N. Sena Reddy, S/o Veera Reddy, aged about 76 years, Occ.
Retd.Employee, R/o H.No.3-8-386, Road No.5, Suryodaya Colony,
Mansoorabad, L.B. Nagar, Ranga Reddy District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Power and Energy Department, Secretariat, Hyderabad-500022.
2. Southern Power Distribution Company Ltd., of Telangana, Rep. by its Chairman and Managing Director, Mint Compound, Hyderabad.
3. Southern Power Distribution Company Ltd., of Telangana, Rep., by The Superintending Engineer (Operation), Sarcoornagar Circle, Sarcoornagar.
4. Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Tankbund, 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 an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not releasing the power supply to the Petitioners buildings at premises bearing Plot No.4, admeasuring 500 sq yards, in Sy.No.52 to 56, Situated at Ward No.5, Block No.5, Saheb Nagar Khurd Village, Hayathnagar Mandal, Ranga Reddy District, as illegal, null, void, arbitrary and consequently direct the respondents to release the power supply without insisting for occupancy certificate.

IA NO: 1 OF 2022

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 2nd and 3rd Respondents to release the power supply to the petitioner building at premises bearing Plot No.4, admeasuring 500 sq yards, in Sy.No.52 to 56, Situated at Ward No.5, Block No.5, Saheb Nagar Khurd Village, Hayathnagar Mandal, Ranga Reddy District.

Counsel for the Petitioner: SRI. B.MANOJ KUMAR

Counsel for the Respondent No.1: GP FOR ENERGY

Counsel for the Respondent No's 2 & 3: SRI. R.VINOD REDDY (SC FOR TSSPDCL)

Counsel for the Respondent No.4: SRI. SAMPATH PRABHAKAR REDDY (SC FOR GHMC)

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.22836 of 2022

ORDER:

Heard learned counsel for petitioner, and learned Government Pleader for Energy appearing for respondent No.1, Sri R. Vinod Reddy, learned Standing Counsel for Telangana State Southern Power Distribution Company Limited appearing for respondent Nos.2 and 3 and Sri Sampath Prabhakar Reddy, learned Standing Counsel appearing for respondent No.4. With their consent, the present Writ Petition is being disposed of at the stage of admission itself.

2) When the matter is taken up for hearing, the learned counsel for the petitioner has submitted that the issue raised in the present writ petition is squarely covered by the orders passed by this Court in W.P.No.26085 of 2018, dated 26.07.2018, and W.P.No.6030 of 2020, dated 20.04.2020.

3) The above said submission is not disputed by the learned Standing Counsel appearing for the respondent Nos.2 and 3 herein.

4) In view of the above and for the reasons alike in the order dated 26.07.2018, passed in W.P.No.26085 of 2018, the present

Writ Petition is disposed of directing the respondents to release the power supply to the subject premises of the petitioner, subject to compliance of the terms and conditions and on furnishing an undertaking to produce the occupancy certificate from the Municipal Corporation concerned, 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. Further, this order does not preclude the official respondents from rejecting the application made by the petitioner, if it is found that the subject property is a vacant land and no structure is in existence.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

//TRUE COPY//

SD/- K. AMMAJI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Power and Energy Department, State of Telangana, Secretariat, Hyderabad-500022.
2. The Chairman and Managing Director, The Southern Power Distribution Company Ltd., of Telangana, Mint Compound, Hyderabad.
3. The Superintending Engineer (Operation), The Southern Power Distribution Company Ltd., of Telangana, Saroomagar Circle, Saroomagar.
4. The Commissioner, Greater Hyderabad Municipal Corporation, Tankbund, Hyderabad
5. One CC to SRI. B.MANOJ KUMAR Advocate [OPUC]
6. Two CCs to GP FOR ENERGY, High Court for the State of Telangana. [OUT]
7. One CC to SRI. R.VINOD REDDY (SC FOR TSSPDCL), Advocate [OPUC]
8. One CC to SRI. SAMPATH PRABHAKAR REDDY (SC FOR GHMC), Advocate [OPUC]
9. Two CD Copies.
10. One Spare Copy.



HIGH COURT

DATED:29/04/2022

ORDER

WP.No.22836 of 2022



DISPOSING OF THE WP
WITHOUT COSTS.

(12)

VW
16/5/22