

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**MONDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

**HONOURABLE SRI DHIRAJ SINGH THAKUR, THE CHIEF JUSTICE
AND**

HONOURABLE SRI JUSTICE CHALLA GUNARANJAN

WRIT PETITION NO: 2850 OF 2026

Between:

M/s Sprng Soura Kiran Vidyut Private Limited, Unit No FF-48 A, First Floor,
Omaxe Square, Plot No. 14, Jasola District Centre, New Delhi - 110025
Represented by its Authorized Representative, Mr. Kalla Rajesh Kumar

... Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary,
Energy, Infrastructure and Investment Department, A.P. Secretariat,
Amaravati, Guntur, Andhra Pradesh-522238
2. Andhra Pradesh Electricity Regulatory Commission Vidyut Niyantana
Bhavan, Adjacent to 220/132/33/11 kV AP Carbides Sub Station,
Dinnedevarapadu Road, Kurnool, Andhra Pradesh - 518002
Represented by its Secretary
3. Southern Power Distribution Company of Andhra Pradesh Limited, 19-
13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati -517503,
Represented by its Chairman and Managing Director and Chief General
Manager
4. Union of India, The Ministry of New and Renewable Energy, Block-14,
CGO Complex, Lodhi Road, New Delhi - 110003 Represented by its
Secretary



5. Union of India, Ministry of Power, Block-14, CGO Complex, Lodhi Road, New Delhi - 110003 Represented by its Secretary
6. Solar Energy Corporation of India Limited, Block Tower 2, NBCC Tower, Block B, East Kidwai Nagar, New Delhi- 110023 Represented by its Chairman and Managing Director

.... Respondents

WHEREAS the Petitioner above named through its Advocate SRI D S SIVADARSHAN presented this 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 any order, direction, writ in the nature of Mandamus or any other appropriate writ and (a) Declare the Regulation 17 of the Impugned Regulations issued by the Respondent No.2 as arbitrary, ultra vires, unconstitutional and consequently set aside the same b) Declare the Impugned Tariff Order for FY 2025-26 issued by the Respondent No. 2 to the limited extent it is dealing with the tariff for Category-II(B) Startup Power, including all actions taken thereunder as arbitrary, ultra vires, unconstitutional and consequently set aside the same c) Declare the Impugned Demand/ Disconnection Notice dated 05.01.2026 issued by Respondent No. 3 as arbitrary, illegal, unconstitutional and consequently set aside the same.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri D S SIVADARSHAN Advocate for the Petitioner, GP FOR ENERGY for respondent no.1, Ms.Jyothi Ratna Anumolu, Standing Counsel for respondent no.3, Additional Solicitor General of India for respondent Nos.4 & 5, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Secretary, Andhra Pradesh Electricity Regulatory Commission
Vidyut Niyamtrana Bhavan, Adjacent to 220/132/33/11 kV AP Carbides
Sub Station, Dinnedevarapadu Road, Kurnool, Andhra Pradesh -
518002
2. The Chairman and Managing Director and Chief General Manager,
Southern Power Distribution Company of Andhra Pradesh Limited, 19-
13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati -517503.
3. The Secretary, Union of India, The Ministry of New and Renewable
Energy, Block-14, CGO Complex, Lodhi Road, New Delhi - 110003
4. The Secretary, Union of India, Ministry of Power, Block-14, CGO
Complex, Lodhi Road, New Delhi - 110003
5. The Chairman and Managing Director, Solar Energy Corporation of
India Limited, Block Tower 2, NBCC Tower, Block B, East Kidwai
Nagar, New Delhi- 110023

are be and hereby directed to show cause either appearing in person or
through an advocate on or before 23.02.2026 to which date the case stands
posted as to why in the circumstances set out in the petition and the affidavit
filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2026

Petition under Section 151 CPC is filed praying that in the
circumstances stated in the affidavit filed in support of the petition, the High
Court may be pleased to stay all further proceedings pursuant to the
Impugned Demand/ Disconnection Notice dated 05.01.2026 thereby restrain
the Respondent No. 3 from taking any coercive action against the Petitioner

including disconnection of the electricity, pending disposal of WP No. 2850 of 2026, on the file of the High Court.

IA NO: 2 OF 2026

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay on the implementation and/or operation of the Regulation 17 of the Impugned Regulations issued by the Respondent No. 2, pending disposal of WP No. 2850 of 2026, on the file of the High Court.

IA NO: 3 OF 2026

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay on the Impugned Tariff Order for FY 2025-26 issued by the Respondent No. 2 to the limited extent as prayed above and pass, pending disposal of WP No. 2850 of 2026, on the file of the High Court.

The Court made the following: ORDER

Notice.

Service is waived by learned Government Pleader for the Energy Department on behalf of respondent No.1 and Ms. Jyothi Ratna Anumolu, learned Standing Counsel, on behalf of respondent No.3.

Response be filed.

List on 23.02.2026 along with WP.No.19012 of 2025.

In the meantime, respondent No.3 shall consider the representation which is already stated to have been filed by the petitioner with the said respondent.

Payment made in terms of the impugned demand notice which is also challenged in the instant petition shall be subject to the outcome of the present writ proceedings.

In case any of the contentions raised by the petitioner in the representation is accepted by respondent No.3, then the relief/refund to the extent of the acceptance of the contention shall be made in favour of the petitioner.

Learned Senior Counsel appearing for the petitioner, at this stage, states that at-least two weeks time be given to the petitioner to make the payment with a view to avoid the threatened disconnection of power to the petitioner unit.

Ordered accordingly.

//TRUE COPY//

**Sd/-K.J.RAJA BABU
ASSISTANT REGISTRAR
SECTION OFFICER**

To,

1. The Secretary, Andhra Pradesh Electricity Regulatory Commission
Vidyut Niyantana Bhavan, Adjacent to 220/132/33/11 kV AP Carbides
Sub Station, Dinnedevarapadu Road, Kurnool, Andhra Pradesh -
518002
2. The Chairman and Managing Director and Chief General Manager,
Southern Power Distribution Company of Andhra Pradesh Limited, 19-
13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati -517503.
3. The Secretary, Union of India, The Ministry of New and Renewable
Energy, Block-14, CGO Complex, Lodhi Road, New Delhi - 110003
4. The Secretary, Union of India, Ministry of Power, Block-14, CGO
Complex, Lodhi Road, New Delhi - 110003
5. The Chairman and Managing Director, Solar Energy Corporation of
India Limited, Block Tower 2, NBCC Tower, Block B, East Kidwai
Nagar, New Delhi- 110023 (1 to 5 by RPAD- along with a copy of
petition and memorandum of grounds)
6. One CC to SRI. D S SIVADARSHAN Advocate [OPUC]
7. One CC to Ms.Jyothi Ratna Anumolu, Standing Counsel [OPUC]
8. Two CCs to GP FOR ENERGY ,High Court Of Andhra Pradesh. [OUT]
9. Two spare copies.

ksr

HIGH COURT

**HC, J
&
CGR, J**

DATED:02/02/2026

List on 23.02.2026 along with WP.No.19012 of 2025.

NOTICE BEFORE ADMISSION

WP.No.2850 of 2026

DIRECTION

