

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No.4739 OF 2026

ORDER:

1. The present writ petition has been filed to issue Writ of Mandamus declaring the action of the respondents more particularly the 4th respondent and their authorities in disconnecting the Electricity Connection Service No 3421220000063 for the agricultural land situated in Sy.No.191-1 admeasuring an extent of Ac.1-07 cents of Maramreddipalle Village, Seetharamapuram Mandal, SPSR Nellore District without issuing any notice or following any procedure contemplated under law as illegal arbitrary and without authority against the Principles of Natural Justice and consequently direct the 4th respondent to restore the Electricity Connection Service No.3421220000063 for the agricultural land situated in Sy No191-1 admeasuring an extent of Ac.1-07 cents of Maramreddipalle Village, Seetharamapuram Mandal, SPSR Nellore District forthwith without insisting on any preconditions.

2. The case of the petitioner is that he was granted Agricultural Electricity Service Connection No. 3421220000063 for the agricultural land situated in Survey No. 191-1, admeasuring Ac. 1.07 cents, in Maramreddipalle Village, Seetharamapuram Mandal, SPSR Nellore District. While so, Respondent No. 4, without issuing any prior notice and without following the due procedure prescribed under law, disconnected the petitioner's electricity service connection. Such action is alleged to be arbitrary, illegal, and violative of the principles of natural justice. Hence, the present writ petition.

3. Respondent No. 4 filed a detailed counter affidavit contending that the petitioner is the consumer of Agricultural Service Connection No. 3421220000063 in the aforesaid survey number, which was originally sanctioned for a bore-well located therein in a particular place. It is stated that the said bore-well has become dry and non-functional. According to the respondent, the petitioner, without obtaining prior permission from the competent authorities and without following the prescribed procedure, recently dug a new bore-well at another location of same land considerably distant from the originally sanctioned well. It is further alleged that the petitioner unauthorizedly shifted and utilized the existing electricity supply for

the newly dug bore-well by erecting a pole and drawing power supply through adjacent lands belonging to third parties, without obtaining any approval or sanction from the Corporation. The respondent further submits that, upon receipt of complaints from members of the public regarding the unauthorized use of electricity, the concerned officials conducted an inspection of the petitioner's land. During the inspection, it was found that the petitioner was utilizing electricity supply for a bore-well other than the one for which the service connection had originally been sanctioned. On these grounds, the respondent sought dismissal of the writ petition.

4. Learned Standing Counsel for the respondents submits that the disconnection of the service connection was necessitated by the petitioner's unauthorized shifting of the electricity supply from the originally sanctioned location to a different location without obtaining prior approval from the competent authority. It is contended that, in the event of any change in the location of utilization of electricity supply, the consumer is required either to obtain prior permission for such transfer or to apply for a fresh service connection. Since the petitioner failed to follow the prescribed due procedure and unauthorisedly shifted the service connection while continuing to draw power, the respondents were

justified in disconnecting the supply. Therefore, it is contended that the petitioner is not entitled to insist upon issuance of notice or observance of any further procedure before such disconnection.

5. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents. Perused the material available on record.

6. The issue that arises for consideration before this Court is whether the action of the respondents in disconnecting the petitioner's electricity service connection without issuing prior notice and without following due process of law is valid and sustainable.

7. Ordinarily, where a consumer is lawfully enjoying an electricity service connection and is not in default of any statutory or contractual obligation, he would be entitled to prior notice and compliance with the procedure prescribed under law before disconnection of supply. However, in the present case, the material on record discloses that the petitioner himself violated the General Terms and Conditions of Power Supply, by shifting the utilization of the electricity service connection from the originally sanctioned location to another location without obtaining prior approval from the competent authority. Such unauthorized shifting of the service

connection is contrary to the applicable terms and conditions governing the supply of electricity. In those circumstances, the petitioner's contention regarding non-issuance of notice cannot be accepted. At the same time, the submission of the respondents that the petitioner may either seek approval for transfer of the service connection to the present location or apply for a fresh service connection, as may be required under the applicable regulations, appears to be reasonable and justified.

8. In view of the above, this Court is of the considered opinion that the ends of justice would be met by directing the petitioner to submit, within a period of two (2) weeks from the date of receipt of a copy of this order, either (i) an application seeking approval for transfer of the existing service connection from the original location to the present location, or (ii) an application for grant of a fresh electricity service connection at the location where supply is presently required. Upon receipt of such application, the respondents shall consider the same in accordance with law and shall either restore the existing service connection, subject to eligibility, or grant a fresh service connection, as the case may be, within a further period of two (2) weeks thereafter.

9. With the above direction, writ petition is disposed of. No costs.

10. Consequently, miscellaneous applications pending if any, shall stand dismissed.

JUSTICE VENKATESWARLU NIMMAGADDA

Date: 19.06.2026

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