

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

TUESDAY, THE 7th DAY OF JULY, 2026

**:PRESENT:
THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 6688 OF 2025**



Between:

LancoKondapalli Power Limited, Having its office at 4th floor,
Mahavir Radiance, Madhapur, Hyderabad - 500081, Telangana
Represented by its authorised signatory Mr. KushaalSaraf

Petitioner/s

AND

1. Union of India, Rep by its Principal Secretary Ministry of Road Transport and Highways Transport Bhawan, 1, Parliament Street New Delhi - 110 001.
2. National Highways Authority of India (NHAI), Represented by its Chairman G-5 & 6, Sector -10, Dwarka, New Delhi- 110 075.
3. DGM (Tech) Project Director, PIU, Vijayawada, National Highways Authority of India Plot No 74, Vanamali Building, Beside N.A.C. KalyanaVedika, Commercial Taxes Colony, Gurunanak Nagar Road, Vijayawada 520008 Andhra Pradesh
4. The State of Andhra Pradesh, Represented by its Chief Secretary Andhra Pradesh, Secretariat Office, Velagapudi, Amaravati 522 023.
5. The Collector, Collectorate Office, NTR District, Andhra Pradesh.
6. NTPC Vidyut Vyapar Nigam Limited, Regd Office at Core-7, Scope Complex, 7 Institutional Area, Lodhi Road, New Delhi - 110 003, Represented by its Chairman and Managing Director

Respondent/s

Petition under Article 226 of the Constitution of India is filed
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, particularly one in the nature of a writ of mandamus declaring the impugned shutdown notice dated 11.03.2025 issued by respondents, more particularly respondent no.3, as unconstitutional, illegal, arbitrary, excess of jurisdiction and in violation of the principles of natural justice and consequently, set aside the impugned shutdown notice dated 11.03.2025 and pass such other order or orders as this Honble Court may deem fit and proper in the facts and circumstances of the case.

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Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to stay the operation, implementation and all further proceedings pursuant to the impugned shut down notice dated 11.03.2025 thereby direct the respondents not to take any coercive steps against the petitioner, Pending disposal of WP 6688 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier orders of the High Court dated: 13.03.2025, 07.04.2025, 29.04.2025, 26.06.2025, 25.07.2025 , 19.02.2026, 06.04.2026, 20.04.2026, 29.04.2026 & 26.06.2026 made herein and upon hearing the arguments of Sri D S SIVADARSHAN, Advocate for the Petitioner and of Sri O. UDAY KUMAR, Standing Counsel for the Respondent No.1 and of Sri PAMDA RAO LAKKARAJU, STANDING COUNSEL for the Respondent Nos.2 & 3 and the ADVOCATE GENERAL for Respondent Nos.4&5, the Court made the following;

ORDER:

Sri Avinash Desai, learned senior counsel, representing Sri D.Satya Siva Darshan, learned counsel for the petitioner, contended that the National Highway Authority of India (NHAI) does not have the power to force shutdown the petitioner's electricity generating plant and consent of the petitioner is mandatory before shifting or increasing the height of the electricity transmission towers and unless the compensation is paid upfront to the petitioner for the loss to be caused owing to the shutdown, the petitioner will not be able to give its consent. He further contended that the NHAI vide its letter dated 09.07.2022 estimated the loss at Rs.28,68,90,191/- for 32 hours outage on both lines and pursuant to interim order dated 13.03.2025, negotiations happened between petitioner and NHAI and currently the loss is estimated to be Rs. 8.18 crores for 48 hours based on conservative estimate.

On other hand, Sri Padma Rao Lakkaraju, learned Standing Counsel for NHAI, contended that the request for shutdown has been made in accordance with the established procedure and subject to the technical feasibility and in view of the availability of an alternate circuit for continuity of power transmission, even if one circuit is temporarily shutdown, the transaction of power can be continued through the alternate circuit. He further contended that the NHAI has no objection to compensate the petitioner in the event any actual loss is caused even after exhausting all possible alternatives for transmission of power through the alternate circuit, but, without appreciating the technical aspects of the transmission system, the petitioner has assumed that shutdown would result in direct loss to him.

Both the learned counsel submitted that for calculating the loss caused to the petitioner for 48 hours shutdown, a qualified chartered accountant need be appointed to calculate and mediate

between the parties and later a qualified technical expert versed with power generation.

In view of the submissions made by both the learned counsel, Ms.Madhuri VVR, qualified mediator and arbitrator from IIAM and APCAM cum- Chartered Accountant, 101,102 Manbhum Venky Apartments, Near Hotel Katriya Raj Bhavan Road, Somajiguda, Hyderabad (98665 00005) is appointed to quantify the loss caused on account of 48 hours shutdown. The Mediator & Arbitrator-cum Chartered Accountant shall issue notice to both the counsel well in advance fixing the date and place for undertaking the exercise. Both the learned counsel are at liberty to file calculation memos quoting the loss to be occasioned for 48 hours shutdown before the Chartered Accountant. The Chartered Accountant shall record the contentions of the learned counsel, consider the calculation memos and calculate the loss that would be caused for 48 hours shutdown and send her report to the Registrar (Judicial), High Court of Andhra Pradesh, Amaravathi, through post & email before the next date of hearing.

The fee of the Chartered Accountant is tentatively fixed at Rs.1,00,000/- (Rupees one lakh only) apart from other incidental charges to be borne out by the petitioner.

The Registry shall prepare a warrant and entrust it to the Chartered Accountant as per procedure.

Regarding the appointment of technical expert is concerned, decision will be taken at an appropriate time, if necessity arises.

Post on 21.07.2026.

//TRUE COPY//

SD/- N.SRINIVASA RAO
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. One CC to Sri. D S SIVADARSHAN, Advocate [OPUC]
2. One CC to Sri. PADMA RAO LAKKARAJU (SC FOR NHAI), Advocate [OPUC]
3. One CC to Sri O. UDAY KUMAR, STANDING COUNSEL [OPUC]
4. Two CCs to the ADVOCATE GENERAL, High Court of AP [OUT]
5. The Registrar (Judicial), High Court of Andhra Pradesh, Amaravati.
6. Ms.Madhuri VVR, qualified mediator and arbitrator from IIAM and APCAM cum- Chartered Accountant, 101,102 Manbhum Venky Appartments, Near Hotel Katriya Raj Bhavan Road, Somajiguda, Hyderabad (98665 00005) **(by RPAD)**
7. One spare copy

HIGH COURT

RC, J

DATED: 07.07.2026.

POST ON 21.07.2026.

ORDER

WP.No.6688 of 2025

DIRECTION

