

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

IA No. 1 OF 2025

IN

WP NO: 8965 OF 2025

Between:

1. Thota Kasi Visweswara Rao, s/o Thota Peda Nancharaiah, aged about 70 years R/o.Dno 61-10-3, Sai Suguna Public School backside, Nagedra Nagar, Ramalingeswara Nagar, Vijayawada-13.
2. Thota Surya Ramesh Babu, S/o.Kasi Visweswara Rao, aged about 45 years, R/o.D No.61-10-3, Sai Suguna Public School backside, Nagedra Nagar, Ramalingeswara Nagar, Vijayawada-13.

...Petitioners/

Petitioners

(Petitioner in WP 8965 OF 2025

on the file of High Court)

AND

1. The State of Andhra Pradesh, Through the Principal Secretary, Department of Energy, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The A.P. Central Power Distribution Corporation Limited, Rep. by Its Chairman & Managing Director besides Polytechnic College, ITI College Road, Vijayawada, N.T.R. District.
3. The Executive Engineer(Operations), APCPDCL, Town Division, O/o. S.E, Vidyut Soudha, PWD Grounds Vijayawada, NTR District.

4. V.V.Basavaiah, S/o.V.V.Subbarao, aged about 66 years, R/o.D.No.40-24-17/1, Beside G.K.Towers, Jasti Veedhi, patamatalanka, Vijayawada
NTR District

...Respondents/Respondents
(Respondents in-do-)

Counsel for the Petitioners :SAI GANGADHAR CHAMARTY

Counsel for the Respondent No.1:GP FOR ENERGY

Counsel for the Respondent Nos.2&3: Mrs. K. ADARSHITHA

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 direct the official Respondents to restore the power supply bearing Service No.6426402140276 to the petitioners' shed in RS No.43, Ramalingeswara Nagar, Vijayawada, NTR District, Pending disposal of WP No. 8965 of 2025, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

"The above writ petition is filed impugning the proceedings issued by the 3rd respondent vide No.EE/O/T/VJA/APCPDCL/VJA/F/D.No.1214/2024-25, dated 11.01.2025 (Ex.P2) disconnecting the power supply to service connection No.6424402140276 for the premises bearing Door No.61-10/1-8 in R.S.No.43 of Ramalingeswar Nagar, Vijayawada, as illegal and arbitrary.

2. Learned counsel for the petitioner would submit that the petitioner has been residing in the Door No.61-10/1-8 of Ramalingeswar Nagar and the power supply to the electricity service for the premises was disconnected. He would also submit that the authorities without verifying the documents, passed the order impugned.

3. Learned Junior Standing Counsel seeks time to file counter.

4. As seen from the material, there is a private dispute between the petitioner and the 4th respondent. In fact, a suit O.S.No.98 of 2021 was pending before the competent civil Court.

5. In Dilip (Dead) Through Lrs. Vs.Satish and Others¹, the Hon'ble Apex Court observed thus:

“9. It is now well settled proposition of law that electricity is a basic amenity of which a person cannot be deprived. Electricity cannot be declined to a tenant on the ground of failure/refusal of the landlord to issue no objection certificate. All that the electricity supply authority is required to examine is whether the applicant for electricity connection is in occupation of the premises in question.”

6. Given the facts and circumstances of the case, the order impugned dated 11.01.2025 (Ex.P2) is hereby suspended. The 3rd respondent shall restore the power supply to the service connection No.6424402140276 for the premises bearing Door No.61-10/1-8 in R.S.No.43 of Ramalingeswar Nagar, Vijayawada forthwith. The petitioner shall pay the necessary charges”

SD/-SK MD RAFI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

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To,

1. The Principal Secretary, Department of Energy, Secretariat,
Velagapudi, Amaravathi, Guntur District, State of Andhra Pradesh (BY
SPECIAL MESSENGER)
2. The Chairman & Managing Director, A.P. Central Power Distribution
Corporation Limited, besides Polytechnic College, ITI College Road,
Vijayawada, N.T.R. District.

3. The Executive Engineer(Operations), APCPDCL, Town Division,
O/o. S.E, Vidyut Soudha, PWD Grounds Vijayawada, NTR District.
4. V.V.Basavaiah, S/o.V.V.Subbarao, aged about 66 years,
R/o.D.No.40-24-17/1, Beside G.K.Towers, Jasti Veedhi,
patamatalanka, Vijayawada NTR District (Addressee Nos.2 to 4 By
RPAD)
5. One CC to SRI. SAI GANGADHAR CHAMARTY Advocate [OPUC]
6. Two CCs to GP FOR ENERGY, High Court of Andhra Pradesh.
[OUT]
7. One CC to Mrs. K. ADARSHITHA, STANDING COUNSEL [OPUC]
8. One spare copy

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HIGH COURT

SRS,J

DATED:07/04/2025

LIST THE MATTER ON 05.05.2025

ORDER

IA No. 1 OF 2025

IN

WP.No.8965 of 2025

DIRECTION

