

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

WEDNESDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX



:PRESENT:

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION NO: 9207 OF 2026

Between:

Guntur Spinning Mills (P) Ltd, Obulanaidupalem (V), Guntur Rural Mandal,
Guntur District. Rep.by its Managing Director, Mr.M.V. Satyanarayana.
(Consumer No. GNT777)

Petitioner

AND

1. The State of Andhra Pradesh, Energy Department, Secretariat,
Velagapudi Amaravathi, Guntur District, -522238 Represented by its
Principal Secretary
2. Central Power Distribution Company of Andhra Pradesh Ltd., Corporate
Office, Beside Polytechnic College, ITI Road, Vijayawada, -520008
represented by its Managing Director.
3. The Superintending Engineer, APCPDCL, Operation Circle, Vidyuth
Bhavan, Bapatla - 522 003.
4. The Chief General Manager (Rev & IA), APCPDCL, Corporate Office,
Besides Govt Polytechnic College, Vijayawada, NTR District - 520008.

Respondents

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, more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents No.2 to 4 in demanding for payment of the already paid differential excess Electricity Duty @94 paise per unit amounting to Rs.52,67,102/- by the Petitioner for the period 05/2022 to 10/2022, which

amount was refunded / adjusted by the 2nd Respondent in the CC Bill of the Petitioner for the month of November 2023, in compliance of the common order of this Hon'ble Court dt. 15-09-2023 passed in W.P.No.16619 of 2022 and batch, through the latest demand notice Lr.No.SE/O/GNT/ SAC/ JAO/ HT/D.No.242/26 dt.25-03-2026 of the 3rd Respondent served on the petitioner on 30-03-2026 by imposing surcharge and demanding the Petitioner to pay Rs.85,27,909/-, on the premise of the interim order of this Hon'ble Court dt.21-11-2023 passed in WP.No.29987 of 2023 and batch as well as the interim order passed by the Hon'ble Supreme Court of India dt. 19-09-2025 in SLP (C) No.26194 of 2025 as illegal, arbitrary, without jurisdiction and in violation of Article 14 and 19(1)(g) of the Constitution of India and to set aside the demand notice dt.25-03-2026 issued by the 3rd Respondent;

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 the operation of the impugned demand Lr.No.SE/O/GNT/SAO/JAO/HT/D.No.243/26 dt.25-03-2026 of the 3rd Respondent served on the petitioner on 30-03-2026 demanding to pay Rs. 85,27,909/- and/or taking any coercive steps against the Petitioner, Pending disposal of WP 9207 of 2026, 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 upon hearing the arguments of Sri SRICHARAN TELAPROLU Advocate for the Petitioner, GP FOR ENERGY for Respondent No.1 Sri.V.V.Satish, Standing counsel for R2 and R3 and the Court made the following.

ORDER

1. Sri T.Sricharan, learned counsel for the petitioner, submitted that, in view of the impugned letter dated 25.03.2026 issued by the respondent corporation Authorities (Received on 30.03.2026), the petitioner apprehends disconnection by the respondents which

leads to multifarious problems to the petitioner. Thus, the petitioner moved a lunch motion.

2. Primarily, the learned counsel for the petitioner submits that as respondent Corporation Authorities already noticed the amounts adjusted towards differential electricity duty charges in respect of petitioner, hence, without final adjudications of the lis pending before the Apex Court in State of A.P.v Sai Global YarnTex India Pvt Ltd & Others, respondent authorities ought not to have issued impugned notice dated 25.03.2026 at all as the same is arbitrary and without jurisdiction.
3. Learned counsel also submits that in identical facts, this Court granted interim order on 30.03.2026 in W.P.No.8372 of 2026 and other cases.
4. Conversely, Sri V.V.Satish, learned Standing Counsel for the respondent Corporation, submitted that, the respondent Corporation authorities acted in terms of law only. He seeks time to get instructions. Further, he has not disputed the factum of passing interim orders in W.P.No.8372/2026 on 30.03.2026 by this Court.
5. Evidently, the lis filed by the State of A.P. is sub-judice before the Hon'ble Supreme Court of India. Added to that, by going through communications/material filed by the petitioner reveals about the reference of adjustment of amounts paid differential Electricity Duty charges @ Rs.0.94 paise per unit.
6. It is apt to note that, electricity is a basic amenity as held by the Supreme Court of India in Dilip (Dead) Through Lrs., v.Satish and Others reported in 2022 SCC OnLine SC 810.
7. Considering the facts and circumstances of the case, this matter requires a detailed consideration.

8. Accordingly, there shall be an interim stay of operation of the demand Lr.No.SE/O/GNT/SAO/JAO/HT/D/No.243/26 dated 25.03.2026 of the 3rd respondent, for a period of two (02) weeks.
9. Meanwhile, respondent are directed to their response/instructions to the assertions raised by the petitioner.
10. Post the matter along with W.P.Nos.8372, 8373. 8374 and 8375 of 2026.

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SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, , Energy Department, Secretariat, Velagapudi Amaravathi, Guntur District,- 522238 (by **Special Messenger**)
2. The Managing Director, Central Power Distribution Company of Andhra Pradesh Ltd., Corporate Office, Beside Polytechnic College, ITI Road, Vijayawada, -520008.
3. The Superintending Engineer, APCPDCL, Operation Circle, Vidyuth Bhavan, Bapatla - 522 003.
4. The Chief General Manager (Rev & IA), APCPDCL, Corporate Office, Besides Govt Polytechnic College, Vijayawada, NTR District - 520008. (addressee 2 to 4 by **RPAD**)
5. One CC to SRI. SRICHARAN TELAPROLU Advocate [OPUC]
6. Two CCs to GP FOR ENERGY, High Court of Andhra Pradesh. [OUT]
7. One CC to Sri.V.V.Satish, Standing counsel [OPUC]
8. One spare copy

HIGH COURT

MRK,J

DATED:08/04/2026

Post the matter along with W.P.Nos.8372, 8373. 8374 and 8375 of 2026.

ORDER

WP.No.9207 of 2026

DIRECTION

