

[3332]

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

TUESDAY, THE SECOND DAY OF MAY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

**THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 11429 OF 2023**



Between:

BSLN ISPAT, Having its manufacturing unit at Plot No. 239-245, Growth Centre, Thumkunta Industrial Area, Hindupur, Anantapur District, Rep. by its Legal Heir Ms Parul Kansaria D/o Late Mahabir Prasad, Aged about 30 years, Residing at 11186, Prestige Shantiniketan, ITPL Main Road, Whitefield, Bangalore - 560048
With service connection bearing No. ATP - 653.

Petitioner

AND

1. Southern Power Distribution Company of Andhra Pradesh Ltd, represented by its Chairman and Managing Director, 19-13-65/A Srinivasapuram Tiruchanoor Road Tirupathi.
2. The Superintendent Engineer, Operation Circle, Southern Power Distribution Company of Andhra Pradesh Ltd, Anantapuram.
3. The Senior Accounts Officer, Operation Circle, Southern Power Distribution Company of Andhra Pradesh Ltd, Anantapuram District.
4. Chief General Manager (Finance), Southern Power Distribution Company of Andhra Pradesh Ltd, Anantapuram District.
5. Chief General Manager (Rev. and IA (FAC), Southern Power Distribution Company of Andhra Pradesh Ltd, Anantapuram District.
6. The State of Andhra Pradesh, Rep. by its Principal Secretary, Energy Infrastructure and Investment Department Secretariat, Velagapudi, Amaravati, Guntur District.

Respondents

Whereas the Petitioner above named through its Advocate M/s. JYOTHI RATNA ANUMOLU 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 an appropriate Writ, Order or Direction, more particularly in the nature of a mandamus declaring the action of the Respondents in not considering the Petitioner's representations dated 02.01.2021, 20.06.2022, 25.06.2022 and 02.03.2023 submitted to the 1st Respondent refunding an amount of Rs.10,35,471/-, paid towards CC Charges for the months of June and July 2020 as arbitrary, illegal, discriminatory, contrary to the provisions of Electricity Act, 2003 and being violative of the petitioner's rights guaranteed under Article 14, 19(1)(g) of the Constitution of India and consequently to directly the Respondents to refund a sum of Rs.10,35,471/-, along with interest at the rate of 18% per annum;

And whereas the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of M/s. JYOTHI RATNA ANUMOLU Advocate for the Petitioner and of SRI V.R.REDDY KOVVURI, Standing Counsel for the Respondent Nos.1 to 5 and of GP FOR ENERGY for the Respondent No.6,

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 Chairman and Managing Director, Southern Power Distribution Company of Andhra Pradesh Ltd, 19-13-65/A Srinivasapuram Tiruchanoor Road Tirupathi.
2. The Superintendent Engineer, Operation Circle, Southern Power Distribution Company of Andhra Pradesh Ltd, Anantapuram.
3. The Senior Accounts Officer, Operation Circle, Southern Power Distribution Company of Andhra Pradesh Ltd, Anantapuram District.
4. The Chief General Manager (Finance), Southern Power Distribution Company of Andhra Pradesh Ltd, Anantapuram District.
5. The Chief General Manager (Rev. and IA (FAC), Southern Power Distribution Company of Andhra Pradesh Ltd, Anantapuram District.
6. The Principal Secretary, Energy Infrastructure and Investment Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.

are be and hereby directed to show cause either appearing in person or through an Advocate on or before 22.06.2023 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.

The Court made the following Order:

"Notice before admission.

Sri V.R.Reddy Kovuri, learned standing counsel for Andhra Pradesh Southern Power Distribution Company Limited, takes notice for respondent Nos.1 to 5.

Learned Government Pleader for Energy takes notice on behalf of respondent No.6.

For counters, post on 22.06.2023."

//TRUE COPY//

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

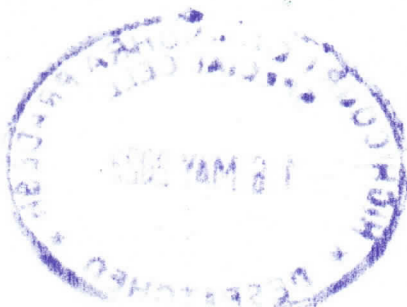
SECTION OFFICER

To,

1. The Chairman and Managing Director, Southern Power Distribution Company of Andhra Pradesh Ltd, 19-13-65/A Srinivasapuram Tiruchanoor Road Tirupathi.
2. The Superintendent Engineer, Operation Circle, Southern Power Distribution Company of Andhra Pradesh Ltd, Anantapuram.

3. The Senior Accounts Officer, Operation Circle, Southern Power Distribution Company of Andhra Pradesh Ltd, Anantapuram District.
4. The Chief General Manager (Finance), Southern Power Distribution Company of Andhra Pradesh Ltd, Anantapuram District.
5. The Chief General Manager (Rev. and IA (FAC), Southern Power Distribution Company of Andhra Pradesh Ltd, Anantapuram District.
6. The Principal Secretary, Energy Infrastructure and Investment Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
(Addresses 1 to 6 by RPAD along with a copy of Petition and Affidavit)
7. One CC to SRI. JYOTHI RATNA ANUMOLU Advocate [OPUC]
8. One CC to SRI. V.R.REDDY KOVURI, Andhra Pradesh Southern Power Distribution Company Limited. [OPUC]
9. Two CCs to GP FOR ENERGY, High Court of Andhra Pradesh. [OUT]
10. **One spare copy**

ER



HIGH COURT

RCJ

DATED:02/05/2023

POST ON 22.06.2023

NOTICE BEFORE ADMISSION

WP.No.11429 of 2023

