

**HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

**MAIN CASE No.: W.P.No.13861 of 2026**

**PROCEEDING SHEET**

| Sl. No. | DATE       | ORDER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | OFFICE NOTE |
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|         | 06.07.2026 | <p><b><u>NV, J</u></b></p> <p>Heard learned counsel for the petitioner.</p> <p>2. Issue notice to respondent Nos.4 to 6.</p> <p>3. The learned counsel for the petitioner is permitted to take out personal notice to respondent Nos.4 to 6 through registered post with acknowledgment due and file proof of service in the Registry.</p> <p>4. The case of the petitioner is that he acquired the subject property, along with the electricity service connection, through a public auction conducted under the provisions of the SARFAESI Act, 2002. Thereafter, the petitioner applied for the grant of an MS/HSD Retail Outlet dealership, pursuant to which a Letter of Intent dated 16.03.2024 was issued in his favour.</p> <p>5. Subsequently, the petitioner submitted a fresh application on 01.09.2025 seeking a new electricity service connection. Though the petitioner claims that he complied with all the requisite conditions, respondent Nos. 2 and 3 did not provide the electricity service</p> |             |

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|  |  | <p>connection. Instead, by Memo dated 27.11.2025, the petitioner was informed that, in view of Clause 5.9.6 of the General Terms and Conditions of Supply, the outstanding dues relating to the earlier service connection were required to be cleared before any fresh connection could be granted. The petitioner further stated that the petitioner would be treated as a fresh applicant and was required to pay the current consumption charges along with the applicable surcharge in respect of the subject service connection. The said Memo is also under challenge in the present writ petition.</p> <p>6. Learned counsel for the petitioner submits that, in similar circumstances, the Full Bench of this Court held that any dues in respect of an electricity connection are attached to the consumer but not to the premises where the connection was located. Therefore, the respondent cannot deny the petitioner's request for a new electricity connection on the ground of the outstanding dues of the previous consumer.</p> <p>7. On the other hand, the learned Standing Counsel relied upon the very same judgment and contended that the issue had fallen for consideration before the Full Bench of this Court. The Full Bench held that where the statutory rules or regulations of the State provide for recovery of electricity dues outstanding against a particular premises to</p> |  |
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|  |  | <p>which the service connection pertains, such dues may be recovered from a person seeking restoration of the connection or a fresh electricity connection in respect of the same premises. It is further contended that the said principle has also been affirmed by the Constitution Bench of the Hon'ble Apex Court.</p> <p>8. Learned Standing Counsel further submits that Clause 8(4) of the General Terms and Conditions of Supply specifically provides for recovery of outstanding dues relating to the service connection attached to the premises before a fresh electricity connection is to be granted to the occupant or purchaser of such premises.</p> <p>9. Having considered the submissions of the learned counsel for both sides, this Court noted that the petitioner purchased the property in a public auction conducted under the provisions of the SARFAESI Act, 2002. It is also not in dispute that, at the time of the auction, the electricity service connection had already been disconnected. It is stated that, after having an adjustment of the security deposit of the previous consumer against the arrears, an amount of Rs.4,00,000/- remains payable towards the outstanding dues, apart from the applicable surcharge.</p> <p>10. In the above facts and circumstances, this</p> |  |
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|  |  | <p>Court is inclined to grant an interim direction. Accordingly, the respondents are directed to provide a fresh electricity service connection to the petitioner, subject to the petitioner depositing a sum of Rs.4,20,248/- within the stipulated time and directed to submit an undertaking/affidavit admitting that responsibility subject to the final outcome of the present writ petition with regard to the balance surcharge and other disputed dues, if any. Upon such deposit and after submission of the undertaking/affidavit, the respondents shall release the fresh electricity service connection forthwith. The liability towards the remaining disputed dues, if any, shall be subject to the final outcome of the present writ petition.</p> <p>10. List the matter on 31.07.2026.</p> <div><div>LSP</div><div><div>NV, J</div></div></div> |  |
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