

APHC010493752025



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3328]

TUESDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 25406/2025

Between:

1. SUNKAVALLI @ SUNKAVARAPU VARA PRASAD, S/O SURYA PRAKASH RAO, AGED ABOUT 43 YEARS, R/O D.NO. 5-294, MURARI VILLAGE, GANDEPALLI MANDAL, EAST GODAVARI DISTRICT

...PETITIONER

AND

1. THE STATE OF AP, REP BY ITS PRINCIPAL SECRETARY, ENERGY DEPARTMENT, A P SECRETARIAT VELAGAPUDI, GUNTUR DISTRICT

2. ANDHRA PRADESH EASTERN POWER DISTRIBUTION, COMPANY LIMITED (APEPDCL), REP BY ITS CHAIRMAN AND MANAGING DIRECTOR CORPORATE OFFICE AT P AND T COLONY, SEETHAMMADHARA, VISAKHAPATNAM

3. THE SUPERINTENDENT ENGINEER, OPERATION, APEPDCL EAST GODAVARI DISTRICT.

4. ASSISTANT ACCOUNTS OFFICER, ERO, JAGGAMPETA, EAST GODAVARI DISTRICT

5. THE ASSST DIVISIONAL ENGINEER, OPERATION, APEPDCL JAGGAMPET, EAST GODAVARI DISTRICT.

6. THE ASSISTANT ENGINEER, OPERATION, APEPDCL GANDEPALLI MANDAL, GANDEPALLI, EAST GODAVARI DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1.VENKATA DURGA RAO ANANTHA

Counsel for the Respondent(S):

1.GP FOR ENERGY

2.V V SATISH (SC for APEPDCL)

The Court made the following:

ORAL ORDER:

Heard Sri Venkata Durga Rao Anantha, learned Counsel for the Writ Petitioner, Ms. K. Swaroopa Rani, learned Assistant Government Pleader for Energy and Ms. Kothapalli Aishwarya Chowdhary, learned Junior Standing Counsel for APEPDCL.

2. Ms. Kothapalli Aishwarya Chowdhary, learned Junior Standing Counsel for APEPDCL, has submitted the Written Instructions furnished by the Assistant Engineer, Operation, APEPDCL, Gandepalli. Copy of it is supplied to the Counsel for the Writ Petitioner and the same is taken on record.

3. It is the contention of the learned Counsel for the Writ Petitioner that the Writ Petitioner has purchased the land (open site) of an extent of 1452 square yards *vide* registered Sale Deed dated 15.11.2005 (Ex.P.5), which is situated in Sy.No.229 and also bears Door No.5-63. Learned Counsel submits that prior to the purchase in the year 2005, the vendor of the Petitioner was running a rice mill. The mother of the Petitioner is the owner of 15 cents of land situated at Door No.5-294. It is submitted by the Counsel for the Writ Petitioner that the Possession Certificate dated 28.04.2023 is in the name of the mother of the Writ Petitioner (Ex.P.4). It is also submitted that the Petitioner and his mother reside in a dwelling house at Door No.5-294.

4. The Assistant Engineer, Operation, APEPDCL (Respondent No.6) has served Notice on the Petitioner on 01.09.2025 by making a stale claim of electricity charges in respect of the erstwhile rice mill owned by the vendor of the Petitioner. It is submitted that due to non-payment of the electricity charges amounting to Rs.1,68,087/-, the electricity connection to the

residential dwelling house at Door No.5-294, where the Petitioner and his mother reside, has been disconnected by the Respondent Authorities.

5. It is the contention of the learned Counsel for the Writ Petitioner that the Respondent Authorities cannot raise a claim against the Petitioner and disconnect the electricity at Door No.5-294 to recover a stale claim against the vendor of the Petitioner. Learned Counsel for the Writ Petitioner would submit that the Respondents resorted to disconnection on 01.09.2025 only on the basis that the connection at Door No.5-294 is in the name of the Petitioner herein.

6. Learned Counsel for the Writ Petitioner has taken this Court through the Notice issued by the Assistant Engineer, Operation, APEPDCL dated 01.09.2025 (Ex.P.1) and would submit that the said Notice is bereft of even the elementary details of the periods under which the vendor of the Petitioner has fallen due to the Respondents. He would also submit that the act of disconnection is nothing but gross highhandedness on the part of the Respondents for resorting to arm-twisting method to recover an alleged claim which is admittedly stale by more than 20 years and is unconnected to the Writ Petitioner.

7. Having regard to the above facts, this Court is of the opinion that the balance of convenience is in favour of the Writ Petitioner. Accordingly, the impugned Order dated 01.09.2025 (Ex.P.1) is suspended. Consequently, the Official Respondents are directed to restore the electricity connection within twenty four (24) hours from now. The issue of compensation for illegal disconnection is kept open and will be considered at a later point of time.

8. Let Counter Affidavit be filed within two weeks. One week thereafter for filing Re-joinder, if any.

9. Ms. Kothapalli Aishwarya Chowdhary, learned Junior Standing Counsel for APEPDCL, is directed to convey the gist of this Order to the Respondent Nos.3 & 5 forthwith for effective compliance.

10. List on 28.10.2025.

GANNAMANENI RAMAKRISHNA PRASAD, J

Dt:23.09.2025

Note: Issue C.C today,
B/o,
Vns