

WRIT PETITION NO: 6766 of 2023 along with
WP.Nos.27270, 28402 & 28712 of 2023**1) WP.No.6766 of 2023**

Assistant Engineer (Operations), APEPDCL and others ...Petitioners

Vs.

The District Consumer Commission and another ...Respondents

2) W.P.No.27270 of 2023

The Divisional Engineer, Operations Division, APEPDCL ...Petitioner

Vs.

The District Consumer Disputes Redressal Commission and
Others ...Respondents**3) WP.No.28402 of 2023**

The Superintendent Engineer, APEPDCL and others ...Petitioners

Vs.

The District Consumer Disputes Redressal Commission and
Others ...Respondents**4) WP.No.28712 of 2023**

The A.E. Operation, APEPDCL and others ...Petitioners

Vs.

The District Consumer Disputes Redressal Commission
and another ...Respondents

Advocate for Petitioners : Mr V V Satish (SC for APEPDCL)

Advocate for Respondents : Mr Srinivasa Rao Narra for respondent
No.2 in WP.No.28402 of 2023

**CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE NINALA JAYASURYA**

DATE : 1st May, 2026

COMMON ORDER

LISA GILL, CJ.

All the above writ petitions are taken up together for hearing and adjudication at request and with consent of learned counsel for petitioners as it is submitted that an identical question arises for adjudication therein.

2. All the above said writ petitions have been filed by Andhra Pradesh Eastern Power Distribution Company Limited challenging separate orders passed by concerned District Consumer Commissions.

3. Plea raised in all writ petitions is regarding jurisdiction of District Consumer Commission to decide the dispute in question in view of Section 42(5) of Electricity Act, 2003. Keeping in view the factual matrix, detailed reference to individual orders in separate writ petitions is not necessary.

4. Learned counsel for petitioners, at the very outset, fairly states that matter is covered against writ petitioners in view of judgment dated 25.04.2024 passed by a Division Bench of this Court in ***Andhra Pradesh Southern Power Distribution Corporation Ltd., Vs. The State of Andhra Pradesh*** [W.P.No.24282 of 2022 and batch of other petitions].

5. It has been held in the aforesaid decision dated 25.04.2024 as under:-

“13. The provisions of Section 173 to 175 of the Electricity Act, 2003 make it clear that the Electricity Act, 2003 was framed with the clear intention that the said Act would not interfere with the functioning of the Consumer Protection Act, 1986. However, the Consumer Protection Act in force today is the Consumer Protection Act, 2019.

14. The purport of Sections 173 to 175 of the Electricity Act, 2003 is that the provisions of this Act would not interfere with the functioning of the Consumer Fora established under the Consumer Protection Act, 1986. The repeal of this Act by the Consumer Protection Act, 2019 would not, to the mind of this Court, make any difference to the principle that the provisions of the Electricity Act, 2003 would have to give way to the provisions of the Consumer Protection Act, 2019.

15. The purpose of the Redressal Forum set out in the Electricity Act, 2003 is only for ensuring a quick and expeditious payment of compensation to the victims of electrical accidents. This would not mean that such victims are not entitled to approach other Fora. Section 175 of the Electricity Act, 2003 makes this principle explicit by stating that the Electricity Act, 2003 is only in addition to other provisions and no in derogation with any other acts.

16. In the circumstances, this court is of the opinion that the existence of the Consumer Redressal Forum under Section 42(5) of the Electricity Act, 2003 would not preclude the affected persons from approaching the Consumer Fora under the Consumer Protection Act, 2019.

17. The petitioners had also raised an additional issue that some of the affected parties are not consumers within the meaning of the Consumer Protection Act, 2019 as they were strangers, who had been electrocuted in the open areas or on the public roads and as such cannot claim to be consumers. These are all issues of fact which would have to be dealt with by the appropriate forum. As appeals have been provided against the decision of the District Consumer Forum or the State Consumer Forum, it would only

be appropriate to relegate the petitioners herein to such alternative remedies.”

6. All the said writ petitions were dismissed with liberty to petitioners to avail its remedies against orders of Consumer fora in terms of Consumer Protection Act, 2019.

7. Present Writ Petitions are, accordingly, dismissed in the same terms with liberty as aforementioned. No costs.

Miscellaneous application(s) pending, if any, stand(s) disposed of accordingly.

Photocopy of this order be placed on the files of connected cases.

LISA GILL, CJ

NINALA JAYASURYA, J

Vjl