

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

THURSDAY, THE TWENTIETH DAY OF NOVEMBER,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION NO: 32342 OF 2025

Between:

Smt. Dasari Chinnatalli, W/o. Appa Rao, Aged 46 years, Occ: Housewife
Yerukula Street, Vadlapudi R.H.Colony, Kaniti Colony, Gajuvaka Mandal,
Vadlapudi Post, Visakhapatnam – 530046, Andhra Pradesh

...Petitioner

AND

1. The State of Andhra Pradesh, Rep.by its Principal Secretary, Energy Department, Secretariat Buildings, Amaravati, A.P.
2. The A.P. Eastern Power Distribution Company Ltd. Rep. by its Chairman and Managing Director, Gajuvaka, Visakhapatnam District, Andhra Pradesh
3. The Superintending Engineer, APEPDCL, Operation Circle, Vadlapudi, Visakhapatnam District, Andhra Pradesh
4. The Deputy Executive Engineer, APEPDCL, Operation Circle, Vadlapudi, Visakhapatnam District, Andhra Pradesh
5. The Executive Engineer, APEPDCL, Operation Circle, Vadlapudi, Visakhapatnam District, Andhra Pradesh
6. The Assistant Executive Engineer, APEPDCL, Operation Circle, Vadlapudi, Visakhapatnam District, Andhra Pradesh
7. The Assistant Accounts Officer, APEPDCL, Operation Circle, Vadlapudi, Visakhapatnam District, Andhra Pradesh

...Respondents

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 a Writ of Mandamus or any other appropriate writ, order or direction, declaring the action of 6th respondent in disconnecting the electricity service connection of the petitioner bearing No.11123000V1015533 by issuing the Lr.No.AEE-O/VDP, D.No.604/2025 Dt. 17.11.2025 in respect of the petitioner's plot bearing D.No.28-20-16 situated at Sy.No.13/9, Yerukula Veedhi, Vadlapudi, Visakhapatnam District, Andhra Pradesh as arbitrary and violative of Article 14 of the Constitution of India apart from contrary to the Electricity Supply Act and consequently suspend the operation of the proceedings vide Lr.No.AEE-O/VDP, D.No.604/2025 Dt. 17.11.2025 by directing the 6th respondent to restore the power supply to the service connection of the petitioner bearing No.11123000V1015533 for the petitioner house bearing D.No.28-20-16 situated at Sy.No.13/9, Yerukula Veedhi, Vadlapudi, Visakhapatnam District, Andhra Pradesh forthwith in the interest of Justice.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the proceedings vide Lr.No.AEE-O/VDP, D.No.604/2025 Dt. 17.11.2025 by directing the 6th respondent to restore the power supply to the service connection of the petitioner bearing No.11123000V1015533 for the petitioner house bearing D.No.28-20-16 situated at Sy.No.13/9, Yerukula Veedhi, Vadlapudi, Visakhapatnam District, Andhra Pradesh forthwith in the interest of Justice, Pending disposal of WP 32342 of 2025, 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 K Gani Reddy, Advocate for the Petitioner, GP for Energy Department for the Respondent No.1 and of Sri Y.Nagendra, Counsel representing Sri

V.V.Satish, Standing Counsel for the Respondent Nos.2 to 7, the Court made the following

ORDER:

“Heard Sri K. Gani Reddy, learned Counsel for the Writ Petitioner and Sri Y. Nagendra, learned Counsel representing Sri V.V. Sathish, learned Standing Counsel for APEPDCL.

2. The grievance of the Writ Petitioner is that the power connection to her house has been disconnected on 18.11.2025 by serving a Notice one day before i.e., on 17.11.2025 without giving any time for the Writ Petitioner to present her case.

3. It is submitted by the learned Counsel for the Writ Petitioner that there have been civil disputes between the Writ Petitioner and one Sri Govindaraju. The Writ Petitioner filed O.S.No.548/2019 against Sri Govindaraju and two others seeking Permanent Injunction. During the pendency of the said Suit, as a counterblast, Sri Govindaraju has filed O.S.No.464/2022 seeking declaration of title and for recovery of possession of the Suit Schedule Property therein. It is further submitted that Sri Govindaraju has approached the Consumer Grievance Redressal Forum of APEPDCL, Visakhapatnam vide Proceeding bearing C.G.No.873/2025. The said Consumer Grievance Redressal Forum, vide Order dated 05.11.2025, had noted that there is dispute regarding the land between the Complainant and Respondent No.4 therein (Respondent No.4 is the present Writ Petitioner). The said Consumer Grievance Redressal Forum has also taken into consideration the F.I.R.No.234/2024 dated 04.07.2024 filed against the Writ Petitioner and two others by the Complainant/Sri Govindaraju and had held that the case, *prima facie*, is in favour of the Complainant and directed that service connection be removed. It transpires that there is no reference to the pendency of the civil Suits between the Writ Petitioner and Sri

Govindaraju in the Order passed by the Consumer Grievance Redressal Forum dated 05.11.2025.

4. Learned Counsel for the Writ Petitioner has drawn the attention of this Court to the photograph (Ex.P.6) and the monthly running electricity bill of the Writ Petitioner (Ex.P.5). Learned Counsel for the Writ Petitioner submits that the disconnection of the electricity is causing great inconvenience to the Writ Petitioner and her family.

5. This Court has considered the Order passed by the Consumer Grievance Redressal Forum dated 05.11.2025 in C.G.No.873/2025. This Court has also noted the contents of the Affidavit filed in support of this Writ Petition (paras 5 & 6) wherein, it has been stated that there are civil disputes pending as regards the land. The nature of the civil disputes indicate that the Petitioner filed O.S.No.548/2019 seeking Permanent Injunction against Sri Govindaraju. The nature of the Suit filed by Sri Govindaraju bearing O.S.No.464/2022 bear significance inasmuch as the said Suit is filed seeking not only declaration of title but also seeking recovery of possession from the Petitioner. This itself would clearly indicate that the Writ Petitioner is in possession of the disputed property and that the Writ Petitioner has constructed the house and the Petitioner's family is now residing in the said house.

6. Since this is essentially a civil dispute, *prima facie*, it appears to this Court that the Consumer Grievance Redressal Forum ought not to have entertained the Complaint from Sri Govindaraju during the pendency of the civil proceedings.

7. In this view of the matter, the Order passed by the Consumer Grievance Redressal Forum, Visakhapatnam dated 05.11.2025 shall stand suspended. The consequent Order dated 17.11.2025 (Ex.P.1), which is impugned herein, shall also remain suspended.

8. The Respondents are directed to restore the electricity within twelve (12) hours.

9. Learned Counsel for the Writ Petitioner is directed to file an Application for impleading Sri Govindaraju as Respondent No.8. He shall also place on record the other pleadings in both the Suits. Writ Petitioner shall file an additional Affidavit as regards the status of both the Suits bearing O.S.Nos.548/2019 and 464/2022.

10. Sri Y. Nagendra, learned Counsel representing Sri V.V. Sathish, learned Standing Counsel for APEPDCL, is directed to convey the gist of this Order to the Respondents forthwith for effective compliance.

11. List on 05.12.2025."

SD/- M.SRINIVAS
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

For /

To,

- 1) The Principal Secretary, State of Andhra Pradesh, Energy Department, Secretariat Buildings, Amaravati, A.P. (By Special Messenger)
- 2) The Chairman and Managing Director, A.P. Eastern Power Distribution Company Ltd. Gajuvaka, Visakhapatnam District, Andhra Pradesh
- 3) The Superintending Engineer, APEPDCL, Operation Circle, Vadlapudi, Visakhapatnam District, Andhra Pradesh
- 4) The Deputy Executive Engineer, APEPDCL, Operation Circle, Vadlapudi, Visakhapatnam District, Andhra Pradesh
- 5) The Executive Engineer, APEPDCL, Operation Circle, Vadlapudi, Visakhapatnam District, Andhra Pradesh
- 6) The Assistant Executive Engineer, APEPDCL, Operation Circle, Vadlapudi, Visakhapatnam District, Andhra Pradesh

- 7) The Assistant Accounts Officer, APEPDCL, Operation Circle,
Vadlapudi, Visakhapatnam District, Andhra Pradesh (Addressee
Nos.2 to 7 by **SPEED POST**)
- 8) One CC to SRI. K GANI REDDY Advocate [OPUC]
- 9) Two CCs to GP for Energy Department, High Court of Andhra
Pradesh. [OUT]
- 10) One CC to Sri V.V.Sathish, Standing Counsel [OPUC]
- 11) **One spare copy**

CVSS

HIGH COURT

GRKP,J

DATED:20/11/2025

LIST ON 05.12.2025.

ORDER

WP.No.32342 of 2025

DIRECTION

