

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
WEDNESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY
WRIT PETITION NO: 30041 OF 2022

Between:

M/s. Ganapati Sugars Industries Limited, Admin Office. 8-2-438/5, Road No.4. Banjara Hills, Hyderabad -500 034. Unit at .Kulbgoor/ Fasiwadi Village, Sangareddy, Medak District - 502 294. Rep. by its Chief Financial Officer. Sri. Amit Kumar Chakraborty, S/o. Late N.C.Chakraborty. HT Service Connection No. SGR-695.

Petitioner

AND

1. Southern Power Distribution Company of Telangana Ltd, Corporate Office, Vidyut Soudha. Hyderabad, Telangana Represented by its Chairman and Managing Director
2. The Chief General Manager, (Revenue), Operation Circle, Vidyut Soudha. Hyderabad, Telangana.
3. Transmission Corporation of Telangana Limited, (TSTransco), Vidyut Soudha, Hyderabad.500 082, Represented by its Chairman and Managing Director

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, direction or order or orders more particularly one in the nature of writ of mandamus declaring the action of the Respondents in levying and demanding Grid Support Charges (GSC) and interest thereon for the period from 1/12/2002 to 1/3/2009 vide Lr.No.CGM(Rev)/GM(R)/SAO(R) /AO(HT)/AAO/JAO/ D.No.178 dt.02/07/2022 1st revised demand issued by the 2nd Respondent, whereby demand is purported to be made for an amount Rs.10,66,29,810/- (Comprising a demand of Rs.3,04,33,163/- for GSC and further sum of Rs.7,61,96,647/- towards the interest there on up to 31/3/2022) and Lr.No.CGM(Rev)/GM(R)/SAO (R)/AO(HT)AAO/JAO/D.No. 424/21, Dt.10/2/2022 demanding Rs.13,66,83,964/- (Comprising a demand of Rs.3,38,24,917/- for GSC and further sum of Rs.10,28,59,047/- towards the interest there on up to 31/1/2022) issued by the 2nd Respondent, as arbitrary, illegal, without jurisdiction and contrary to law, besides being violation of the petitioners rights guaranteed under Articles 14 and 19(1)(g) of the Constitution of India and consequently set aside the same;

IA NO: 1 OF 2022

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 direct the Respondents 1 and 2 not to take any coercive steps including that of disconnection of power supply to the Petitioners HT Service Connection No. SGR-695 in pursuance to the demand notice vide Lr.No.CGM (Rev)/ GM(R)/SAO(R) /AO(HT)/AAO /JAO/ D.No.178 dt.02/07/2022 and Lr.No.CGM(Rev)/ GM(R) /SAO(R)/ AO(HT) AAO/ JAO/D.No.424/21,Dt.10/2/2022 issued by the 2nd Respondent or otherwise, Pending disposal of WP 30041 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof upon hearing the arguments of SRI CHALLA GUNARANJAN Advocate for the Petitioner, SRI R. VINOD REDDY Advocate for the Respondents, the Court made the following.

ORDER

The learned counsel for the petitioner submitted that in identical circumstances, this Court passed interim order dated 8.6.2021 in W.P.No.12879 of 2021.

In view of the same, there shall be interim direction to the respondents not to take any coercive steps against the petitioner subject to the petitioner paying 25% of the Grid Support Charges of Rs. 3, 04,33,163/- (Rupees three crores, four lakhs, thirty three thousand, one hundred and sixty three only) within a period of four weeks from today and another 25% amount within a period of four weeks thereafter. Insofar as interest component is concerned, there shall be interim stay until further orders.

Post on 24.8.2022 along with W.P.No.12879 of 2021.

**SD/- B. SATYAVATHI
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman and Managing Director, Southern Power Distribution Company of Telangana Ltd, Corporate Office, Vidyut Soudha. Hyderabad, Telangana. (by RPAD)
2. The Chief General Manager, (Revenue), Operation Circle, Vidyut Soudha. Hyderabad, Telangana. (by RPAD)
3. The Chairman and Managing Director, Transmission Corporation of Telangana Limited, (TSTransco), Vidyut Soudha, Hyderabad.500 082, (by RPAD)
4. One CC to SRI. CHALLA GUNARANJAN Advocate [OPUC]
5. One spare copy

Note:

In the order in WP.No. 30041 of 2022 the amount is corrected as "Rs. 3, 04,33,163/- (Rupees three crores, four lakhs, thirty three thousand, one hundred and sixty three only)" in place of "Rs. 3,38,24,917/-" vide C.O. dt. 26.08.2022 in IA.No. 2 of 2022.

Substitute the amended order in place of the order which was earlier dispatched on 25.07.2022.

**Sd/- B. Satyavathi
Deputy Registrar**

HIGH COURT

BVRJ

DATED: 20/07/2022
26/08/2022

POST ON 24.08.2022 ALONG WITH WP.NO. 12879 OF 2021.

AMENDED ORDER

WP.No.30041 of 2022

INTERIM STAY

