

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**

FRIDAY, THE TWENTY NINTH DAY OF DECEMBER  
TWO THOUSAND AND TWENTY THREE

**:PRESENT:**

**THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA**

**WRIT PETITION NO: 34931 OF 2023**

**Between:**

M/s. India Cements Limited, R/o. # White House, Block-III B, III Floor, 6-3-1192/1/1, Kundanbagh, Begumpet, Hyderabad, Telangana - 500 016, Rep. by its Deputy Manager Legal, Sri G. Pramod Kumar, S/o. Late Vijay Kumar. Unit at: Malkapur, Tandur Mandal, Rangareddy District-501157. HT Service Connection No. VKB-708.

**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 Superintending Engineer, Operation Circle, TSSPDCL, Vikarabad, Telangana.
3. The Chief General Manager (Revenue), Corporate Office, Vidyut Soudha, Hyderabad, Telangana.

**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 April, 2002 to March, 2009 vide Lr.No.SE/OP/VKB/SAO/JAO(HT)/VKB-708/D.No.4504/23, dt.31/10/2023, issued by the rd Respondent, whereby demand is purported to be made for an amount Rs. 2,63,88,076/- (comprising a demand of Rs. 60,93,550/- for GSC and further sum of Rs. 2,02,94,526/- towards interest thereon) and the consequential action of the Respondents threatening with disconnection of power supply to the petitioner upon failure to make payments by levying and demanding the same in the monthly CC Bill for the month of November, 2023, as arbitrary, illegal, without jurisdiction and contrary to the provisions of Electricity Act, 2003, besides being un-constitutional and violative of the Petitioner's rights guaranteed under

Articles 14 and 19(1)(g) of the Constitution of India and consequently set aside the same;

**IA NO: 1 OF 2023**

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. VKB-708 in pursuance to the demand notice vide Lr.No.SE/OP/VKB/SAO/JAO (HT)/VKB-708/D.No.4504/23. dt.31/10/2023 issued by the 2<sup>nd</sup> Respondent, Pending disposal of WP 34931 of 2023, 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 CHALLA GUNARANJAN, Advocate for the Petitioner, SC for the Respondents, the Court made the following;

**ORDER**

**This writ petition is filed to declare the action of the respondents in laying and demanding Grid Support Charges (GSC) and interest there on for the period from April, 2002 to March, 2009 vide Lr.No.SE/OP/VKB/SAO/JAO(HT)/VKB-708/D.No.4504/23, dt.31.10.2023, issued by the 2<sup>nd</sup> respondent, where by demand is purported to be made for an amount Rs.2,63,88,076/- (comprising a demand of Rs.60,93,550/- for GSC and further sum of Rs.2,02,94,526/- towards interest thereon) and the consequential action of the respondents threatening with disconnection of power supply to the petitioner upon failure to make payments by levying and demanding the same in the monthly CC bills for the month of November, 2023 as arbitrary, illegal, without jurisdiction and contrary to the provisions of the Electricity Act, 2003.**

**Learned counsel for the petitioner submitted that the case of the petitioner is similar to the facts and circumstances of the case in Writ**

**Petition No.31170 of 2021 wherein this Court has granted interim order in I.A.No.1 of 2021 on 13.11.2021.**

**Following the said interim order, this Court directs the petitioner to pay 50% of the Grid Support Charges in two instalments and there shall be interim stay in so far as the interest amount is concerned.**

**List along with W.P.No.31170 of 2021.**

**//TRUE COPY//**

**SD/-MD.ISMAIL  
ASSISTANT REGISTRAR**

**SECTION OFFICER**

**To,**

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

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**HIGH COURT**

**NBKJ**

**DATED:29/12/2023**

**LIST ALONG WITH W.P.NO.31170 OF 2021**

**ORDER**

**WP.No.34931 of 2023**

**DIRECTION**

