

**THE HON'BLE SRI JUSTICE M. GANGA RAO**

**WRIT PETITION No.968 OF 2021**

**ORDER:-**

This Writ Petition is filed under Article 226 of the Constitution of India, seeking the following relief:

*“.....to issue a Writ, Order or direction more particularly one in the nature of Writ of mandamus, declaring the inaction of the respondents for removal of the transformers pertaining to Service Connection Nos. 285, 377 and 354 situated in petitioner's land in Sy.No. 274 of Udumulapadu Village from the present location into the site of Respondents 4 to 6 as illegal and arbitrary, consequently direct the respondents to remove the transformers from the petitioner's land to the site of Respondents 4 to 6.”*

2. Heard, both the counsel, with their consent this Writ Petition is disposed of at the admission stage.

3. The case of the petitioner is that he purchased the land to an extent of Ac. 1.50 cents in Sy.No. 274 of Udumulapadu Village, through a Registered Sale Deed dated 19.10.2005, since then, he has been in possession and enjoyment of the same. The Revenue Authorities have issued Pattadar Pass Book and Title Deed in favour of the petitioner. The respondents 3 to 6 are the owners of the land an extent of Ac. 4.04 cents in Sy.No.274, wherein 4<sup>th</sup> respondent has established a Plastic Industry under the name and style of Srisaila Mallikarjuna Plastic Industries having electricity service connection No.285. The 5<sup>th</sup> respondent has also established Granite Factory therein, having electricity service connection No.377. The 6<sup>th</sup> respondent has established Plastic Industry under the name and style of Srinivasa Plastic Industry, having service connection No.354. The respondents 4 to 6 have mislead the official respondents, got service connections by showing the petitioner's land, without knowledge and

consent of the petitioner and erected transforms in his land. A survey was conducted by Mandal Surveyor and it is found that the respondents erected the transforms erected in the petitioner's land. The respondents 4 to 6 requested time to shift the same, but the same could not be done in spite of several requests. The petitioner made representation dated 02.12.2020 to the 3<sup>rd</sup> respondent, requesting to remove the transforms erected in the petitioner's land, which were erected without the knowledge and consent of the petitioner, so far, no steps had been taken by the respondents 1 to 3. Assailing the inaction of the respondents, this Writ Petition came to be filed.

4. Sri Y. Nagi Reddy, learned standing counsel for respondents 1 to 3 submits that the petitioner's representation dated 02.12.2020 submitted to the respondents 1 to 3, could be considered and seeks reasonable time to consider the petitioner's representation to take appropriate action as per law.

5. Having regard to the facts and circumstances of the case and considering the submissions of the learned counsel and on perusal of the record, this Court, in the interest of justice, felt it appropriate to dispose of the Writ Petition, directing the 3<sup>rd</sup> respondent to consider the representation dated 02.12.2020 submitted by the petitioner and take appropriate action in accordance with law within a period of four (04) weeks from the date of a receipt of copy of this order.

Accordingly, the writ petition is disposed of. No order as to Costs. As a sequel, miscellaneous applications pending, if any, shall also stand closed.

**JUSTICE M. GANGA RAO**

Date: 27.01.2020

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