

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE D.V.S.S.SOMAYAJULU
WRIT PETITION NO: 3711 OF 2022



Between:

1. Mediseti Murali Srinivas, S/o Nageswara Rao, aged about 47 years, R/o D.No.11-193, F4, Jamadagni Street, Kanuru (V), Krishna Dt.
2. Velaga Ramesh, S/o Subba Rao aged about 57 Years, R/o D.No.15-148, Poranki (V), Penamaluru (M), Krishna Dt.
3. Kanakamedala Varalakshmi, W/o Venkata Krishna Prasad aged about 46 years, R/o D.No 15-147 Poranki (V), Penamaluru (M), Krishna Dt.

.... Petitioners

AND

1. State of Andhra Pradesh, through by its Prl., Secretary, Energy Department, Secretariat, Velagapudi, Amaravathi.
2. APCPDCL through its Chairman and Managing Director, Kesavayanagunta Tirupathi 517 501.
3. The Executive Engineer- Operation, (Divisional Engineer) APCPDCL, Gunadala, Vijayawada - 520 005.
4. The Asst. Engineer - Operations, APCPDCL, Penamaluru, Krishna Dt.
5. Penamaluru P.S. through its S.H.O., Penamaluru, Krishna Dt.
6. M/s.Bhanu Constructions, rep. by its Mg. Partner Mikilneni Poorna Chandra Rao aged 49 years, R/o Vallurupalem (V) Thotlavallur (M), Krishna Dt.

... 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 writ, orders or direction more particularly one in the nature of writ of Mandamus declaring the proceedings issued by the respondent No. 3, Dt.02.02.2022 bearing No.EE/0/GDL/F.No.WP.30911/D.No.180/2022, as illegal and violative of Article 14, 21 and 300-A of the Constitution of India, directing the respondent Nos., 2 to 4 not to lay 11 KV high voltage electric service lines across the pathway in the midst of two residential building complexes, situate in Sy.No.414/2 Block No.15 of Poranki (V) Penamaluru (M) of Krishna Dt., directing not to proceed further.

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 suspend the proceedings issued by the respondent No. 3, bearing No.EE/0/GDL/F.No.VVP.30911/D.No.180/2022, Dt: 02.02.2022 directing the respondent Nos., 2 to 4 not to lay 11 KV high voltage electric service lines across the pathway, in Sy.No.414/2 Block No.15 of Poranki (V), Krishna Dt., Pending disposal of WP 3711 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 and upon hearing the arguments of Sri VANGALA SAILAJA Advocate for the Petitioners and GP FOR ENERGY for the Respondent No.1 and Sri Siva Rama Krishna Advocate appearing for Sri Y. Nagi Reddy SC for R2 to R4 and GP for Home for Respondent No.5, the Court made the following.

ORDER:

“Sri Siva Ramakrishna, learned counsel appearing for Sri Y.Nagi Reddy, learned standing counsel for APTRANASCO, tried to explain that there is no danger involved to the petitioners on account of laying up high tension line and adequate distances are being maintained. This Court is of the opinion that the same should to be put in the form of the counter affidavit.

In view of the urgency expressed, list on 22.03.2022 for counter in Motion List-1.

The earlier order will continue to be in force till then.

Print the name of Padamaneni Srinivasa Rao, learned counsel for R6."

SD/- V.SAVITHRI GOWRI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Prl., Secretary, Energy Department, Secretariat, Velagapudi, State of Andhra Pradesh, Amaravathi.
2. APCPDCL through its Chairman and Managing Director, Kesavayanagunta Tirupathi 517 501.
3. The Executive Engineer- Operation, (Divisional Engineer) APCPDCL, Gunadala, Vijayawada - 520 005.
4. The Asst. Engineer - Operations, APCPDCL, Penamaluru, Krishna Dt.
5. Penamaluru P.S. through its S.H.O., Penamaluru, Krishna Dt.
6. The Mg. Partner Mikilneni Poorna Chandra Rao , M/s.Bhanu Constructions, R/o Vallurupalem (V) Thotlavallur (M), Krishna Dt. (1 to 6 by RPAD)
7. One CC to Sri. Vangala Sailaja Advocate [OPUC]
8. One CC to Sri Y. Nagi Reddy SC Advocate [OPUC]
9. Two CCs to GP FOR Home, High Court Of Andhra Pradesh. [OUT]
10. Two CCs to GP FOR Energy ,High Court Of Andhra Pradesh. [OUT]
11. **One spare copy**

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HIGH COURT

DVSSJ

DATED:15/03/2022

LIST ON 22.03.2022 FOR COUNTER IN MOTION LIST-1.

ORDER

WP.No.3711 of 2022

DIRECTION

