

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MAIN CASE No.W.P.No.6069 of 2022
PROCEEDING SHEET

| SI. No. | DATE | ORDER | OFFICE NOTE |
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| | 24-03-2022 | <p><u>DVSS, J</u></p> <p>Heard the learned counsel for the petitioner and Sri Siva Ramakrishna for Sri Y.Nagi Reddy learned counsel for the respondents.</p> <p>Learned counsel for the petitioner argues that the issue raised in this writ petition is similar to the issue in number of writ petitions which are pending before this court.</p> <p>The issue raised in all these writ petitions is about the right of the respondents to collect electrical pole rental charges. The learned counsel for the petitioner argues that the entire GO on the basis on which the rental charges have been levied is suspended. He also draws the attention of this court to an order passed in WP.No.11850 of 2019, wherein the Chief General Manager of the respondents issued a memo stating that as the GO itself is suspended. All the field officers are directed not to insist the rental charges on the electric poles. Similar orders are passed in other matters also.</p> <p>Therefore, the learned counsel relying on these orders and also the provisions of The Cable Television Networks (Regulation) Act, 1995 argues that the demand for rental charges is beyond the competence of the respondents which has been opposed by the earlier interim order.</p> <p>In response to this, Sri Siva Rama Krishna, learned counsel for the respondents</p> | |

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| | <p>argues that the GO which was suspended with regard to enhancement of earlier charges. According to him by a process of misinterpretation, the petitioner has not paid the pole charges which are in force earlier. In a letter given by the petitioner dated 22.03.2022, he had actually undertaken to pay the arrears in instalments. It is also submitted that pursuant to the said letter, the petitioner paid Rs. 10,000/- and the service connection was restored. He submits that the second letter dated 22.03.2022 issued by the petitioner is an afterthought. Therefore, he submits that it is not a case where the Interim order should be granted.</p> <p>In reply the learned counsel for the petitioner submits that the first letter was issued under compulsion.</p> <p>Considering all the submissions made, this Court notices that there is a distinction in this case. The petitioner is an experienced business man and has given a letter agreeing to pay the outstanding and in fact paid an amount of Rs.10,000/-, pursuant to the letter which was accepted. However, the larger issues raised also merit consideration and in the opinion of this Court, all the writ petitions would be decided together. Therefore as an interim measure, the petitioner is directed to pay Rs.81385/- with in a period of two weeks from the date of receipt of a copy of this order, to avoid further disconnection.</p> <p>It is made clear that this order being passed in peculiar facts and circumstances of this case and in view of the fact that the petitioner himself has addressed a letter agreeing to pay the amount in instalment and has also paid an amount of Rs.10,000/-</p> | |
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| | | <p>pursuant to the said letter.</p> <p>List on 14.04.2022.</p> <p>DVSS,J</p> <p>AG</p> | |
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