

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI  
(SPECIAL ORIGINAL JURISDICTION)

MONDAY, THE SEVENTEENTH DAY OF APRIL,  
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

IA No. 1 OF 2023

IN

WP NO: 9011 OF 2023

Between:

M/S. Karthikeyan Exports, Rep.by its Prop. Smt.SinganamalaUmadevi, Age.48 years, Occ.Business, Sy.No.231/1A20, 238/1B1, Budavada Village, ChimakurthyMandal, Prakasam District.

...Petitioner

AND

1. A P Central Power Distribution Corporation Limited, Vijayawada, Krishna District.
2. The Superintending Engineer/DEEO Operations, APCPDCL, Chimakurthy, Prakasam District.
3. The Asst. Divisional Engineer, Operation, APCPDCL, Chimakurthy, Prakasam District.
4. The State of Andhra Pradesh, Rep. by Principal Secretary, Energy Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.

...Respondents

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 grant stay of all further proceedings including disconnection of power supply pursuant to the Provisional Assessment Order of the 3<sup>rd</sup> respondent bearing Lr.No.ADE/0/APT/Sub-Eng/F.Doc MP/D.No.1256/18 dated 29-09-2018 relating to the Agricultural Service Connection of the Petitioner bearing S.C.No.1441201103500027, situated in Ramavaram Village, Anaparathi mandal, East Godavari District, pending disposal of WP No. 9011 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 Vijaya Bhaskar Moola, Advocate for the Petitioner and of Sri V R Reddy kovvuri, Standing Counsel for Respondent No.1 to 3 and GP for Energy for Respondent No.4,

ORDER

"Heard Sri M.Vijaya Bhaskar, learned counsel for the petitioner and Sri V.R.Reddy Kovvuri, learned standing counsel for APCPDCL appearing for respondents.

Learned counsel for the petitioner submitted that against Assessment Notice issued by the 2<sup>nd</sup> respondent on 20.03.2023, the petitioner has submitted his explanation on 31.03.2023. Without passing any orders, Electricity Consumption Bill has been raised by including the amount that was

shown in the Provisional Assessment Order. If the amount as per the recently generated bill is not paid, the authorities will disconnect the power supply without adjudicating the issue of Rs.30,69,885/-, as mentioned in the Provisional Assessment Order, as such, the present Writ Petition has been filed.

Learned standing counsel for respondents submitted that the Energy Department has wrongly included Rs.30,69,885/- amount, which is mentioned in the Provisional Assessment Order in the recently generated bill and if the petitioner pays the balance amount, it would suffice for the time being.

Perused the record. Electricity is a basic amenity in life. Water and Electricity are integral part of right to life within the meaning of Article 21 of the Constitution of India. Electricity is an essential service of which a person cannot be deprived of without cogent and lawful reasons.

In view of the same, by taking into consideration the submissions made by both the learned counsel, this Court is inclined to pass the following order:

There shall be stay of disconnection of power supply subject to payment of Rs.1,12,568/- (Rupees One lakh twelve thousand five hundred and sixty eight only) by the petitioner within a period of one (1) week from the date of receipt of a copy of this order.

Sd/- S. SRINIVASA PRASAD  
ASSISTANT REGISTRAR

//TRUE COPY//

For

SECTION OFFICER

To,

1. A P Central Power Distribution Corporation Limited, Vijayawada, Krishna District.
2. The Superintending Engineer/DEEO Operations, APCPDCL, Chimakurthy, Prakasam District.
3. The Asst. Divisional Engineer, Operation, APCPDCL, Chimakurthy, Prakasam District.
4. The Principal Secretary, Energy Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District, State of Andhra Pradesh, (No's 1 to 4 By RPAD)
5. One CC to Sri. Vijaya Bhaskar Moola Advocate [OPUC]
6. Two CCs to GP for Energy, High court of Andhra Pradesh [OUT]
7. One CC to Sri V R Reddy kovvuri, Standing Counsel [OPUC]
8. One spare copy

psr





**HIGH COURT**

**RCJ**

**DATED:17/04/2023**

**ORDER**

**WP.No.9011 of 2023**

**STAY**

