

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

WEDNESDAY, THE THIRTIETH DAY OF APRIL

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 10734 OF 2025



Between:

M/s. Sai Balaji Metal Industry, Floor, D No. 1-1-138/22, S R Nagar, Nagari,
Chittoor District Andhra Pradesh Rep by Managing Partner Yamala
Venkata Ramanaia

...Writ Petitioner

AND

1. The State Of Andra Pradesh, Rep. by its Principle Secretary, Energy Department, Secretariat, Velagapudi, Amaravathi, Guntur District
2. The Southern Power Distribution Company of Andhra Pradesh Limited, Srinivasapuram, Thiruchanur Road, Tirupati, Tirupati Dist. Rep by its Chairman Managing Director.
3. The Southern Power Distribution Company of Andhra Pradesh Limited, OP Circle, OP Circle, Tirupathi, Tirupathi Dist. Rep by its Senior Accounts Officer

...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, order or direction more particularly one in the nature of

Writ of Mandamus to declare the action of the 1st respondent in issuing G.O.Ms.No.7 Energy (Power-III) Department dated 08.04.2022 exorbitantly increasing the levy of electricity duty from Re.0.06 per unit of Re.1.00 per unit, against writ petitioner in colorable exercise of the powers conferred under Sec.3(1) of the Andhra Pradesh Electricity Duty Act, 1939 is as arbitrary, unreasonable excessive, violative of Art 14 & 21 of the Constitution of India, contrary to the National Tariff Policy, 2016 and consequently set aside G.O.Ms.No.7 energy (Power-III) Department Dt.08.04.2022 in so far as writ petitioner.

IA NO: 1 OF 2025

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 operations of G.O.Ms.No.7; Energy (Power III) Department Dt.08.04.2022 issued by the 1st respondent in so far as Writ petitioner pending disposal of the writ petition, Pending disposal of WP 10734 of 2025, 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 T Janardhan Rao Advocate for the Petitioner, GP for Energy for the Respondent No.1, Sri. K. V. Rama Rao, Standing Counsel for Respondent Nos. 2 & 3 and the Court made the following.

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Energy for 1st respondent and learned Standing Counsel for respondents 2 & 3.


At the hearing, the learned counsel on either side would submit that a batch of writ appeals and writ petitions, are pending and the issue

involved in those batch matters and the issue involved in this writ petition, is one and the same

The learned counsel on either side would submit that an interim order granted in the batch matters, is in operation. Copy of interim order in W.P.Nos.29987 of 2023 and batch, was placed before this Court.

Given the facts and circumstances of the case, the petitioner shall continue to pay the electricity duty collected @ Rs.0.06 paise per unit (KWH), to the licensees, along with arrears, if any.

List the matter after Summer Vacation, 2025.

SD/-SK MD RAFI
/ ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

For /

To,

1. The Principle Secretary, State Of Andra Pradesh, Energy Department, Secretariat, Velagapudi, Amaravathi, Guntur District
2. The Chairman Managing Director, Southern Power Distribution Company of Andhra Pradesh Limited, Srinivasapuram, Thiruchanur Road, Tirupati, Tirupati Dist..
3. The Senior Accounts Officer, Southern Power Distribution Company of Andhra Pradesh Limited, OP Circle, OP Circle, Tirupathi, Tirupathi Dist.
4. One CC to Sri. T Janardhan Rao Advocate [OPUC]
5. One CC to Sri. K. V. Rama Rao, Standing Counsel [OPUC]
6. Two CCs to GP for Energy ,High Court Of Andhra Pradesh. [OUT]
7. One spare copy

HIGH COURT

SRS,J

DATED:30/04/2025

List the matter after Summer Vacation, 2025

ORDER

WP.No.10734 of 2025

DIRECTION

