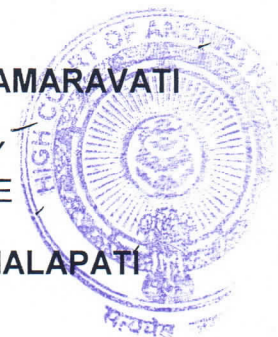


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE SECOND DAY OF MAY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI



IA No. 1 OF 2023

IN

WP NO: 11501 OF 2023

Between:

Kottu Ramanjaneyulu, S/o Narasimha Murthy, Aged about 59 years, R/o Ramannapalem, Mogalturu District, Andhra Pradesh.

...Petitioner

AND

1. The Eastern Power Distribution Company of AP Limited (APEPDCL), Rep. by its Chairman and Managing Director, Mogalturu District, Andhra Pradesh.
2. The Superintending Engineer, Assessments/Eastern Power Distribution Company of AP Limited (APEPDCL), P&T Colony, Seethammadara, Visakhapatnam District, Andhra Pradesh.
3. The Divisional Engineer, Assessment Division, Eastern Power Distribution Company of AP Limited (APEPDCL), Mogalturu District, Andhra Pradesh.
4. The Executive Engineer, Assessments, Eastern Power Distribution Company of AP Limited (APEPDCL), Visakhapatnam District, Andhra Pradesh.
5. The Deputy Executive Engineer, Operation, Eastern Power Distribution Company of AP Limited (APEPDCL), Narasapuram, West Godavari District.

...Respondents

Counsel for the Petitioner :SRI AKULA SRI KRISHNA SAI BHARGAV

Counsel for the Respondents : SRI METTA CHANDRA SEKHAR, STANDING COUNSEL

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 desist the Respondents from disconnecting my Service Connection vide bearing SC No.1533614422001470, pending disposal of WP No. 11501 of 2023, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case). The Court made the following

ORDER:

“Heard learned counsel for the petitioner.

Learned counsel or the petitioner submitted that the impugned Final Assessment Order has been passed without hearing the petitioner and in spite of submission of explanation by the petitioner, it was stated in the order that the Consumer representation on Provisional Assessment is ‘Nil’. The learned counsel for the petitioner has drawn the attention of this Court to the same which is placed on record. Learned counsel further submitted that pursuant to the Provisional

Assessment, 50% of the demanded amount has already paid and now by virtue of this impugned proceedings, the respondent authorities are likely to disconnect petitioner's service connection, as such prayed to protect the interest of the petitioner.

Perused the record.

Prima facie, the petitioner has made out a case for consideration in the present Writ petition. There is some force in the contention of the learned counsel for the petitioner that in the meantime, if the power supply is disconnected, the rights of the petitioner will be affected.

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 learned counsel for the petitioner, as the petitioner has made out a case in the present Writ Petition, this Court is inclined to pass the following order:

The respondents are hereby directed not to disconnect the petitioner's Service Connection bearing SC No. 1533614422001470 till 08.05.2023."

//TRUE COPY//

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

For,

SECTION OFFICER

- To,
1. The Chairman and Managing Director, Eastern Power Distribution Company of AP Limited (APEPDCL), Mogalturu District, Andhra Pradesh.
 2. The Superintending Engineer, Assessments/Eastern Power Distribution Company of AP Limited (APEPDCL), P&T Colony, Seethammadara, Visakhapatnam District, Andhra Pradesh.
 3. The Divisional Engineer, Assessment Division, Eastern Power Distribution Company of AP Limited (APEPDCL), Mogalturu District, Andhra Pradesh.
 4. The Executive Engineer, Assessments, Eastern Power Distribution Company Of AP Limited (APEPDCL), Visakhapatnam District, Andhra Pradesh.
 5. The Deputy Executive Engineer, Operation, Eastern Power Distribution Company of AP Limited (APEPDCL), Narasapuram, West Godavari District.
(1 to 5 by RPAD)
 6. One CC to Sri. Akula Sri Krishna Sai Bhargav, Advocate [OPUC]
 7. One CC to Sri. Metta Chandra Sekhar, Standing Counsel [OPUC]
 8. One spare copy.

MSB



HIGH COURT

RC,J

DATED:02/05/2023

ORDER

IA NO.1 OF 2023
IN
WP.No.11501 of 2023

INTERIM DIRECTIONS

