

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

MONDAY, THE TWENTY EIGHTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 22181 OF 2023



Between:

1. Datla Venkata Subbaraju, S/o. Jagannadharaju,
Aged 46 years, Occ: Cultivation,
R/o. #24, Korukollu, Agadallanka, Bhimadole Mandal
Eluru District (Formerly West Godavari District)
2. Datla Jannadharaju, S/o. Buchhiramaraju,
Aged 69 years, Occ: Cultivation,
R/o. #24, Korukollu, Gundugolanu Village,
Bhimadole Mandal, Eluru District,
(Formerly West Godavari District)
3. Vegesna Padma, W/o. Srinivasaraju,
Aged 51 years, Occ: Cultivation,
R/o. 28-1-39, Santhi Nagar, Anu Residency,
8th Road, Eluru Town and Mandal, Eluru District,
(Formerly West Godavari District).
4. Byrraju Satyanarayanaraju, S/o. Krishnamraju,
Aged 46 years, Occ: Cultivation,
R/o. #1-29, Korukollu, Agadallanka, Bhimadole Mandal,
Eluru District (Formerly West Godavari District).
5. Siribattina Trimurthulu, S/o. Siddayya,
Aged 57 years, Occ: Cultivation,
R/o. H.No. 25-11-14, Plot No. S-1,
Narasimharao Peta, SVS Pranava Hari Nivas,
Eluru Town and Mandal, Eluru District,
(Formerly West Godavari District).
6. Vegesna Venkatapathiraju, S/o. Chinna Appalaraju,
Aged 56 years, Occ: Cultivation, R/o. #2-9,
Ratnapuram, Korukollu, Gundugolanu Village,
Bhimadole Mandal, Eluru District,
(Formerly West Godavari District).

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7. KolanuvudaSriramaraju, S/o. Prasadaraju,
Aged 39 years, Occ: Cultivation, R/o. #23/A,
Ratnapuram, Korukollu, Gundugolanu Village,
Bhimadole Mandal, Eluru District,
(Formerly West Godavari District).
8. Koppella Satyanarayana Raju, S/o. Venkataraju,
Aged 59 years, Occ: Cultivation, R/o. #7-72, Pathuru,
Dirusamaru Village, Bhimavaram Mandal,
West Godavari District.
9. Vegesna Santhosh Varma, S/o. Balasuryanarayana Raju,
Aged 24 years, Occ: Cultivation, R/o. #2-25,
Korukollu, Gundugolanu Village, Bhimadole Mandal,
Eluru District, Formerly West Godavari District.
10. G.S.N.V. Varmaraju, S/o. Appalaraju,
Aged 31 years, Occ: Cultivation, R/o. #1-38/1,
Korukollu, Gundugolanu Village, Bhimadole Mandal,
Eluru District, Formerly West Godavari District.
11. G. Suryakumari, S/o. Janakiramaraju,
Aged 46 years, Occ: Cultivation, R/o. 2-30-1,
Korukollu, Agadallanka Village, Bhimadole Mandal,
Eluru District, Formerly West Godavari District.
12. Vatsavayi Venkatarama Krishna Arjuna Raju,
S/o. Satyanarayana Raju, Aged 55 years,
Occ: Cultivation, R/o. 2-96/1, Satyawada Village,
Undrajavaram Mandal, Eluru District
Formerly West Godavari District.
13. Vatsavayi Ramya Naga Devi,
D/o. Venkatarama Krishna Raju,
Aged 33 years, Occ: Cultivation,
R/o. D. No. 10-47, Sanivarapupeta,
Eluru Town and Mandal, Eluru District,
Formerly West Godavari District.
14. Vatsavayi Bhagyalakshmi Geethavani,
W/o. Venkatarama Krishna Raju,
Aged 53 years, Occ: Cultivation,
R/o. D. No. 2-96/1, Satyawada Village,
Undrajavaram Mandal, Eluru District
Formerly West Godavari District.

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15. Vegesna Krishnamaraju, S/o. Satyanarayana Raju,
Aged 69 years, Occ: Cultivation, R/o. Gavaravaram,
Sanivarapupeta, Eluru Town and Mandal, Eluru District,
Formerly West Godavari District.
16. Chintalapati Sujatha, W/o. Dharmaraju,
Aged 42 years, Occ: Cultivation, R/o. H.No. 1-86,
Sanivarapupeta, Eluru Town and Mandal, Eluru District,
Formerly West Godavari District.
17. Patchhamatla Malathi Lakshmi, W/o. Ramaraju,
Aged 45 years, Occ: Cultivation, R/o. H. No. 7-89,
Chintalapudi Mandal, Eluru District,
Formerly West Godavari District.
18. J.S.R.V.N. Krishnamaraju, S/o. Ramkrishnam Raju,
Aged 53 years, Occ: Cultivation, R/o. H.No. 3-3/69,
Satyam Valley, Opp Rajiv Gandhi Nagar,
Bachupalli, Rangareddi District.
19. Vegesna Naga Venkata Lakshmi Jyothi,
W/o. Manikumar, aged 37 years, R/o. Plot No. 101,
Sri Balaji Enclave, Bhagyanagar Colony,
Kukatpally, Hyderabad.
20. Vegesna Satyavathi, W/o. Somaraju,
Aged 45 years, Occ: Cultivation, R/o. 1-40,
Korukollu Village, Bhimadole Mandal,
Eluru District, Formerly West Godavari District.

Petitioners

And

1. State of Andhra Pradesh,
Rep by its. Principal Secretary to Government,
Department of Energy, Secretariat, Velagapudi,
Amaravati, Guntur District.
2. Eastern Power Distribution Company Ltd.
Rep by its. Chief General Manager (IA & Rev),
A.P.E.P.D.C.L., Visakhapatnam.
3. Superintending Engineer (Operations),
Eastern Power Distribution Company Ltd,
Eluru District at Eluru, (Formerly West Godavari District)

4. Accounts Officer, Revenue Operations Circle, A.P.E.P.D.C.L., Eluru District at Eluru, (Formerly West Godavari District).
5. Additional Deputy Engineer ADE, A.P.E.P.D.C.L., Bhimadolu Mandal, Eluru District at Eluru, (Formerly West Godavari District)
6. Assistant Engineer, A.P.E.P.D.C.L., Bhimadolu Mandal, Eluru District, Formerly West Godavari District.
7. Assistant Director of Fisheries, Government of Andhra Pradesh, Badampudi, Eluru District, (Formerly West Godavari District).
8. Fisheries Development officer, Bhimadolu Mandal, Eluru District, (formerly West Godavari District)
9. District Collector-cum-Chairman, Spandana Grievance Cell, Government of Andhra Pradesh, Eluru District at Eluru, Formerly West Godavari District.

Respondents

WHEREAS the Petitioners above named through their Advocate Sri Sita Ram Chaparla presented this 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 declaring the action of respondents particularly respondents 2 to 6 in not extending power tariff concession to petitioners aquaculture farms at Rs. 1.50 paise per unit and threatening to disconnect power supply for nonpayment of subsidy portion of bill amounts as illegal, irregular, irrational and violative of provisions of Electricity Act, 2003 rules, regulations and Government Orders issued there under and offends articles 14 and 21 of the Constitution of India and consequently direct the respondents to extend said power tariff concession to petitioners aquaculture farms by continuing the power supply to the petitioners electricity service connections on such concession as per Memo No. CGM (IA & Rev)/GM (R) /AO(R)/ D.No. 416100/22 dt. 04.07.2022 issued by 2nd respondent

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Sita Ram Chaparla Advocate for the Petitioner, Government Pleader for Energy Department for R1, Sri Metta Chendrashekar Rao, learned Standing Counsel for R2 to R6, Government Pleader for Fisheries Department for R7 to R9, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary to Government, Department of Energy, State Of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
2. Chief General Manager (IA and Rev), Eastern Power Distribution Company LTD, A.P.E.P.D.C.L., Visakhapatnam.
3. Superintending Engineer (Operations), Eastern Power Distribution Company Ltd, Eluru District at Eluru, (Formerly West Godavari District)
4. Accounts Officer, Revenue Operations Circle, A.P.E.P.D.C.L., Eluru District at Eluru, (Formerly West Godavari District).
5. Additional Deputy Engineer ADE, A.P.E.P.D.C.L., Bhimadolu Mandal, Eluru District at Eluru, (Formerly West Godavari District)
6. Assistant Engineer, A.P.E.P.D.C.L., Bhimadolu Mandal, Eluru District, Formerly West Godavari District.
7. Assistant Director of Fisheries, Government of Andhra Pradesh, Badampudi, Eluru District, (Formerly West Godavari District).

8. Fisheries Development officer, Bhimadolu Mandal, Eluru District, (formerly West Godavari District)
9. District Collector-cum-Chairman, Spandana Grievance Cell, Government of Andhra Pradesh, Eluru District at Eluru, Formerly West Godavari District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith(copy enclosed) this WRIT PETITION should not be admitted on or before 30.08.2023, on which date the case stands posted for hearing.

The Court made the following order :

"Notice before admission.

R1. Learned Government Pleader for Energy Department, takes notice for

Sri Metta Chendrashekar Rao, learned Standing Counsel for APEPDCL, takes notice for R2 to R6.

Learned Government Pleader for Fisheries Department, takes notice for R7 to R9.

For instructions, post on 30.08.2023, in the motion list. "

**Sd/- SK. MD. RAFI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary to Government, Department of Energy, State Of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
2. Chief General Manager (IA and Rev), Eastern Power Distribution Company LTD, A.P.E.P.D.C.L., Visakhapatnam.
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7. Assistant Director of Fisheries, Government of Andhra Pradesh, Badampudi, Eluru District, (Formerly West Godavari District).
8. Fisheries Development officer, Bhimadolu Mandal, Eluru District, (formerly West Godavari District)
9. District Collector-cum-Chairman, Spandana Grievance Cell, Government of Andhra Pradesh, Eluru District at Eluru, Formerly West Godavari District. (1 to 9 by RPAD- along with a copy of petition and affidavit)
10. One CC to Sri Sita Ram Chappala Advocate [OPUC]

11. Two CCs to Government Pleader for Energy, High Court Of Andhra Pradesh. [OUT]
12. Two CCs to Government Pleader for Fisheries, High Court Of Andhra Pradesh. [OUT]
13. One CC to Sri Metta Chendrashekar Rao, Standing Counsel [OPUC]
14. One spare copy

HIGH COURT

RCJ

DATED:28/08/2023

FOR INSTRUCTIONS, POST ON 30.08.2023, IN THE MOTION LIST

NOTICE BEFORE ADMISSION

WP.No.22181 of 2023

