

[3393]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**MONDAY, THE TENTH DAY OF JUNE
TWO THOUSAND AND TWENTY FOUR**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SHRI JUSTICE ANIL KUMAR JUKANTI**

WRIT APPEAL NO: 560 OF 2024

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order

Dated 07/03/2024 in W P No 35116 of 2023 on the file of the High Court.

Between:

Y. Jaihind Reddy, S/o Late Sri Raji Reddy, Aged about 72 years, Occ.
Business, R/o Plot No. 52, Flat No. 102, Monarch Apartments, Road No 2,
Jubilee Hills, Hyderabad.

...APPELLANT

AND

1. Nimmakayala Balaiah, S/o N. Chinna Guruswamy, Aged about 71 years,
Om. Doctor, R/o. 14-1-94, Bank Street, Palvancha, Khammam District -
507115
2. The State of Telangana, rep. by its Principal Secretary, Power and Energy
Department, Secretariat, Hyderabad,
3. Southern Power Distribution Company Limited of Telangana State, rep. by its
Chairman and Managing Director, Office at Mint Compound, Hyderabad.
4. Southern Power Distribution Company Limited of Telangana State, Rep. by its
Superintending Engineer, O/o ADE/Operation/ Rajendranagar, 33/11KV
Rajendranaga Sub-Station Premises, Near Pillar No. 232, Main Road,
Upperpally, Hyderabad.
5. Southern Power Distribution Company Limited of Telangana State, Rep. by its
Assistant Engineer- Operations-Narsingi, Narsingi, Gandipet Mandal, Ranga
Reddy District

...RESPONDENTS

IA NO: 4 OF 2024

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 interim suspension of the orders dated 07-03-2024 in W.P. No. 35116 of 2023 passed by the learned Judge pending disposal of the above writ appeal in the interest of justice.

**Counsel for the Appellant: SRI K. ASHOK REDDY REPRESENTING FOR
SRI YEMIREDDY RAJASHEKAR REDDY**

**Counsel for the Respondent No.1: Ms. CH. VENGAMAMDA REPRESENTING FOR
Ms. CHINTALAPUDI LAKSHMI KUMARI**

Counsel for the Respondent No.2: GP FOR ENERGY

Counsel for the Respondent No.3 to 5: SRI R. VINOD REDDY, SC FOR TSSPDCL

The Court delivered the following: JUDGMENT

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI**

WRIT APPEAL No.560 of 2024

JUDGMENT: (per the Hon'ble the Chief Justice Alok Aradhe)

Mr. K.Ashok Reddy, learned counsel represents
Mr. Y. Rajashekar Reddy, learned counsel for the appellant.

Ms. Ch. Vengamamba, learned counsel appears for
Ms. Chintalapudi Lakshmi Kumari, learned counsel for
respondent No.1.

Mr. R. Vinod Reddy, learned Standing Counsel for
Southern Power Distribution Company Limited of Telangana
State, for respondent Nos.3 to 5.

2. This intra court appeal has been filed against order dated 07.03.2024 passed in I.A.No.2 of 2024 in W.P.No.35116 of 2023, by the learned Single Judge.
3. Learned counsel for the parties jointly submit that the controversy involved in the instant Writ Appeal is squarely covered by the common judgment dated 08.04.2024 passed by

this Court in Writ Appeal Nos.252, 253, 256 and 257 of 2024. It is further pointed out by Sri J. Prabhakar, learned Senior Counsel that Special Leave Petitions to Appeal (C) Nos.11536-11537 of 2024 filed against the aforesaid common judgment dated 08.04.2024 have been withdrawn by the petitioner in the aforesaid Special Leave Petitions, who is respondent No.1 in W.A.Nos.256 and 257 of 2024, on 22.05.2024. A copy of the aforesaid order passed by the Supreme Court is placed on record.

4. In view of aforesaid submissions, the following directions are issued.

The application submitted by a person seeking electricity connection has to be decided on the touchstone of criteria laid down in Clause 5 of General Terms & Conditions of Supply by TSSPDCL. The impugned order passed by the learned Single Judge is therefore set aside. TSSPDCL is directed to process the application submitted by respondent No.1 in accordance with the criteria prescribed under Clause 5 of General Terms and Conditions of Supply. Needless to state that the appellant shall also be heard by TSSPDCL besides the

application submitted by respondent No.1 for grant of electricity connection. It is made clear that this Court has not expressed any opinion on merits of the claims of the rival parties as the same has to be examined by TSSPDCL. The application preferred by respondent No.1 shall be decided by TSSPDCL by a speaking order within a period of two (2) months from today.

5. Accordingly, the Writ Appeal is disposed of.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

Sd/- T. KRISHNA KUMAR
DEPUTY REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary, Power and Energy Department, The State of Telangana, Secretariat, Hyderabad,
2. The Chairman and Managing Director, Southern Power Distribution Company Limited of Telangana State, Office at Mint Compound, Hyderabad.
3. The Superintending Engineer, Southern Power Distribution Company Limited of Telangana State, O/o ADE/Operation/ Rajendranagar, 33/11KV Rajendranaga Sub-Station Premises, Near Pillar No. 232, Main Road, Upperpally, Hyderabad.
4. The Assistant Engineer- Operations-Narsingi, Southern Power Distribution Company Limited of Telangana State, Narsingi, Gandipet Mandal, Ranga Reddy District
5. One CC to SRI YEMIREDDY RAJASHEKAR REDDY, Advocate [OPUC]
6. One CC to Ms. CHINTALAPUDI LAKSHMI KUMARI, Advocate [OPUC]
7. One CC to SRI R. VINOD REDDY, SC for TSSPDCL [OPUC]
8. Two CCs to GP for ENERGY, High Court for the State of Telangana. [OUT]
9. Two CD Copies

BN

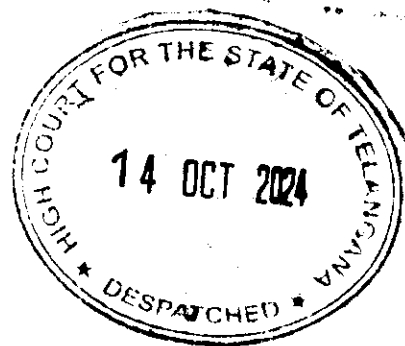
MP

HIGH COURT

DATED:10/06/2024

JUDGMENT

WA.No.560 of 2024



**DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS**

12 copies
K
27/9/24