

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

**FRIDAY, THE FOURTEENTH 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: 676 OF 2024

Writ Appeal under clause 15 of the Letters Patent preferred against the Order dated 07/03/2024 in I.A. No.2 of 2023 in W P No 32354 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/THIRD PARTY

AND

1. Smt Tummala Rama Devi, W/o Tummala Venkata Ramana, Aged 53 years.
Occ. Housewife, R/o D. No. 3569/10, Plot No. 643, Vivekananda Nagar
Colony, Kukatpally, Hyderabad

...RESPONDENT/WRIT PETITIONER

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 order dated 07-03-2024 passed by the learned single judge in I.A.No.2 of 2023 in W.P. No. 32354 of 2023 with respect of payment of costs, pending Writ Appeal in the interest of justice.

Counsel for the Appellant: SRI ASHOK REDDY KANATHALA

Counsel for the Respondent No.1: MS. CHINTALAPUDI LAKSHMI KUMARI

Counsel for the Respondent No.2: GP FOR REVENUE

Counsel for the Respondent Nos.3 to 5: SRI R. VINOD REDDY, SC FOR SOUTHERN POWER DISTRIBUTION COMPANY LIMITED OF TELAGNANA STATE

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.676 of 2024

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

Mr. Ashok Reddy Kanathala, learned counsel for the appellant.

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 (hereinafter referred to as 'TSSPDCL') for respondent Nos.3 to 5.

2. This intra court appeal has been filed against order dated 07.03.2024 passed by the learned Single Judge in I.A.No.2 of 2023 in W.P.No.32354 of 2023.

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 Mr. 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

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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.

//TRUE COPY//

SD/- M. MANJULA
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Power and Energy Department, Secretariat, The State of Telangana 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 Ashok Reddy Kanathala, Advocate [OPUC]
6. One CC to Ms. Chintalapudi Lakshmi Kumari, Advocate [OPUC]
7. One CC to Sri R. Vinod Reddy, SC for Southern Power Distribution Company Limited of Telangana State[OPUC]
8. Two CCs to The GP for Energy, High Court for the State of Telangana, at Hyderabad[OPUC]
9. Two CD Copies

TJ
GJP

PMG

HIGH COURT

DATED:14/06/2024

JUDGMENT

WA.No.676 of 2024



**DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS**

① P.M.G.
27/9/24