

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

THURSDAY, THE SIXTH 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: 424 OF 2024

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order Dated 07/03/2024 IA.No.3 of 2023 in WP.No. 32321 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. Rupa Madhuree Garapati, W/o. G Rajasekhar, Aged 26 years, Occ.Employee, R/o Plot No. 807/2, FLNo. 3-5-100/1, Vivekananda Nagar Colony, Kukatpally, Hyderabad- 500072

...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 Rajendranagar 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. 3 of 2023 in W.P. No. 32321 of 2023 with respect to 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: M/s. CH.VENGAMAMBA FOR
M/s. CHINTALAPUDI LAKSHMI KUMARI
Counsel for the Respondent No.2: GP FOR ENERGY
Counsel for the Respondent Nos.3 TO 5: M/s. NIKITA GOENKA FOR
SRI R.VINOD REDDY, SC FOR TSSPDCL

The Court made the following: JUDGMENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI

WRIT APPEAL No.424 of 2024

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

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

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

Ms. Nikita Goenka, learned counsel representing 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.3 of 2023 in W.P.No.32321 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. Ashok Reddy Kanathala, learned counsel for the appellant 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.

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SD/-I. NAGALAKSHMI
DEPUTY REGISTRAR

SECTION OFFICER

To

1. The Principal Secretary, Power and Energy Department, Secretariat, Hyderabad, State of Telangana.
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/ Raj endranagar, 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 M/s. CHINTALAPUDI LAKSHMI KUMARI, Advocate [OPUC]
7. Two CCs to GP FOR ENERGY, High Court for the State of Telangana, at Hyderabad. [OUT]
8. One CC to SRI R.VINOD REDDY, SC FOR TSSPDCL [OPUC]
9. Two CD Copies

PSK.
GJP

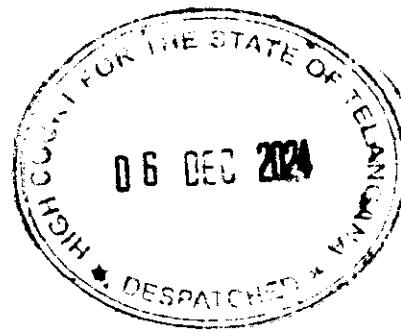
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HIGH COURT

DATED:06/06/2024

JUDGMENT

WA.No.424 of 2024



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WITHOUT COSTS.**

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