

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

FRIDAY, THE SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

WRIT PETITION NO: 22086 OF 2012

Between:

1. Central Power Distribution Company of Andhra Pradesh, Ltd., Mint Compound, Hyderabad, Rep. by its Managing Director.
2. Southern Power Distribution Company of Andhra Pradesh, Ltd., Upstairs, Hero Honda Showroom, Renigunta Road, Tirupati 517 501, Rep. by its Managing Director.
3. Northern Power Distribution Company of Andhra Pradesh, Ltd., 11-5-423/ 1/A, First Floor, 1-7-668, First Floor, Opp NIT, Kazipet, Warangal- 506 001. Rep. by its Managing Director
4. Eastern Power Distribution Company of Andhra Pradesh, Ltd., P86 T Colony, Seethammadhara, Visakhapatnam, Rep. by its Managing director

...PETITIONERS

AND

1. Andhra Pradesh Electricity Regulatory Commission, 5th floor, Singareni Bhavan, Lakadikapool, Hyderabad, rep. by its Secretary
2. Andhra Pradesh Spinning Mills Association, Regd. No.39201, 1st Floor, 105 Surya Towers, Sardar Patel Road, Secunderabad 500 003, Represented by its Hon. Chairman, Sri Ravinder Kumar Agarwal Son of Sri Vasudev Agarwal, aged about 66 years, Resident at Hyderabad.
3. Suryajyoti Spinning Mills Ltd., Surya Towers, 7th Floor, 105 Sardar Patel Road, Secunderabad 500 003, represented by its Managing Director, Sri Ravinder Kumar Agarwal, Son of Sri Vasudev Agarwal, Aged about 66 years, resident at Hyderabad.
4. Aditya Spinners Ltd., 6-3-668/10/66 Durganagar Colony, Punjagutta, Hyderabad 500082 represented by its Vice Chairman, Sri R. Shiv Kumar, son of late Sri S. Ramaswamy, Aged about 63 years, resident at Hyderabad.
5. Sri Ram Spinning Mills Ltd., 3-6-168/4, Hyderguda, Hyderabad - 29, represented by its Managing Director, Sri Sushil Sancheti, Son of Late. Subhash Chand Sancheti, Aged about 38 years, resident at Hyderabad.
(Respondent Nos.2 to 5 are impleaded as per Court Order dated 24-09-2012 in WPMP No.29938 of 2012).
6. The Andhra Sugars Ltd., Venkatarayapuram, Tanuku - 534215, represented by its Managing Director, P. Narendranath Chowdary, Son of late Sri P.S.R.V.K. Ranga Rao, aged 65 years, Resident at Dommeru Village, W.G. District. **(Respondent No. 6 is impleaded as per Court Order dated 24-09-2012 in WPMP No.30712 of 2012).**
7. Hindustan Zinc Ltd., Zinc Smelter (PO), Visakhapatnam - 530015, Represented by its Senior Manager - Electrical, Sri Vijaykumar Madhukar

Patil, Son of late Sri Madhukar Vishwanath Patil, Aged 41 years, resident at Visakhapatnam. **(Respondent No. 7 is impleaded as per Court Order dated 24-09-2012 in WPMP No. 30713 of 2012).**

8. Grindwell Norton Limited, a Company incorporated under the Companies Act, 1956, having its Registered Office at Leela Business Park, 5th Level, Andheri, Kurla Road, Marol, Andheri (East), Mumbai- 400 059 and having one of its Manufacturing Unit at Kadapa Road, Renigunta - 517 520 (AP), rep. by its Manager - Finance, Mr. R. Ramesh.
(Respondent No. 8 is impleaded as per C.O. dt 24.09.12 in WPMP 35190/12)
9. M/s. Dhanalakshmi Iron Industries Limited, Bonthapally Village, Jinnaram Mandal, Medak District, rep. by its Director, Rajesh Gupta.
(Respondent No. 9 impleaded as per Court Order dated 24.06.2015 in WPMP 38755 of 2012)
10. M/s. Vijaya Iron Foundry Private Ltd., (MDK-922), Plot No. 8-62/1, S.No. 171-172, IDA Bollaram, Medak District, Rep. by its Managing Director, Suresh Singhal.
(Respondent No. 10 impleaded as per Court Order dated 24.06.2015 in WPMP 38756 of 2012)
11. M/s. Shalini Steels Private Ltd., Plot No. 164/A, 165 and 166, Sri Venkateshwara Co-op. Industrial Estate, Miyapur, Bollaram, Medak District, Rep. by its Managing Director Suresh Kumar Singhal.
(Respondent No. 11 impleaded as per Court Order dated 24.06.2015 in WPMP 38758 of 2012)
12. M/s. K.B. Rolling Mills Private Ltd., Muppireddypally Village, Toopran Mandal, Medak District, Rep. by its Managing Director, Bikash Kumar Kedia.
(Respondent No. 12 impleaded as per Court Order dated 24.06.2015 in WPMP 38759 of 2012)
13. M/s. Shivam Smelters Private Limited, Survey No. 358/1, (Part), Pregnapur Village, Gajwel Mandal, Medak District, Rep. by its Director, Mr. Lokesh Kumar Agarwal. **(Respondent No. 13 impleaded as per Court Order dated 24.06.2015 in WPMP 38760 of 2012)**
14. M/s. Aryam Steels Private Limited, Survey Nos. 105 and 105A, Nandigam Village, Kothur Mandal, Mahaboobnagar District, Rep. by its Managing Director Avinash Kumar Gupta. **(Respondent No. 14 impleaded as per Court Order dated 24.06.2015 in WPMP 38761 of 2012)**
15. M/s. MMG Steels Private Ltd., Plot No. 14, IDA, Bollaram, Jinnaram Mandal, Medak District, Rep. by its Director Neeraj Kumar Goenka. **(Respondent No. 15 impleaded as per Court Order dated 24.06.2015 in WPMP 38766 of 2012)**
16. M/s. Devashree Ispat Private Limited, Survey No. 460, Elikatta Village, Faruqnagar Mandal, Shadnagar, Mahaboobnagar District, Rep. by its Managing Director, Prakash Goenka. **(Respondent No. 16 impleaded as per Court Order dated 24.06.2015 in WPMP 38767 of 2012)**
17. M/s. Jeevaka Industries Limited, (S.c. Nos. 207, MDK-1150 and MDK-906) Registered Office at D.No. 11-6-27/17, 1st Floor, Balanagar, Hyderabad-37, Rep. by its Director Mr. Anil Agarwal. **(Respondent No. 17 impleaded as per Court Order dated 24.06.2015 in WPMP 38769 of 2012)**
18. M/s. Srinath Metal Pvt. Ltd., Sy. Nos. 445 and 463, Elekatta Village, Shadnagar Mandal, Mahaboobnagar District, Rep. by its Director, Sanjay Agarwal. **(Respondent No. 18 impleaded as per Court Order dated 24.06.2015 in WPMP 38795 of 2012)**
19. M/s. Sarwottam Ispat Limited, Plot Nos. 5, 7, 8 to 10 to 17, Industrial Estate, Medchal, Ranga Reddy Dist., Rep. by its Executive Subhash Goenka. **(Respondent No. 19 impleaded as per Court Order dated 24.06.2015 in WPMP 38796 of 2012)**
20. M/s. Jairaj Ispat Limited, Plot No. 8, Phase-III, I.D.A., Jeedimetla, Hyderabad, Rep. by its Managing Director, S.K. Goenka. **(Respondent No. 20 impleaded as per Court Order dated 24.06.2015 in WPMP 39293 of 2012)**

21. M/s. Vinayak Steels Ltd., 97/E. JP Dharga Road, Kothur, Shadnagar Mandal, Mahaboobnagar District, Rep. by its Vice President B.K. Mandelia. **(Respondent No.21 impleaded as per Court Order dated 24.06.2015 in WPMP 39875 of 2012)**
22. M/s. Vinayak Steels Ltd., (MBN 371), 97/E. JP Dharga Road, Kothur, Shadnagar Mandal, Mahaboobnagar District, Rep. by its Vice President B.K. Mandelia. **(Respondent No.22 impleaded as per Court Order dated 24.06.2015 in WPMP 39876 of 2012)**
23. M/s. Hari Om Concast & Steels Pvt. Ltd., (Re-Rolling Unit) (SC.No.MBN.816) Survey Nos. 63, 62 and 58 Reddayapalli Village, Balanagar Mandal, Mahaboobnagar District, Rep. by its Director Sri Rupesh Golas. **(Respondent No.23 impleaded as per Court Order dated 24.06.2015 in WPMP 42920 of 2012)**
24. M/s. GSN Ferro Alloys Limited, G-1, Shreeji Apartments, Avanthi Housing Society, Raşoolpura, Secunderabad - 500 003 Rep. by its Director, Mr. G. Narasing Rao. **(Respondent No.24 impleaded as per Court Order dated 24.06.2015 in WPMP 42921 of 2012)**
25. M/s. Andhra Ferro Alloys Limited, Kothavalasa Village and Mandal, Vizianagaram District, Rep. by its Managing Director Mr. B. Khandelwal. **(Respondent No.25 impleaded as per Court Order dated 24.06.2015 in WPMP 42922 of 2012)**
26. M/s. RVR Smelters Private Limited; Plot No.364-367, APIIC Growth Centre, Bobbili, Vizianagaram District, Rep. by its Director, P.N. Khandelwal. **(Respondent No.26 impleaded as per Court Order dated 24.06.2015 in WPMP 42923 of 2012)**
27. M/s. Snam Alloys Private Limited, Survey No.2243/3 to 6, Damalacheruvu Village, Pakala Mandal, Chittoor District, Rep. by its Director, S. Srikanth. **(Respondent No.27 impleaded as per Court Order dated 24.06.2015 in WPMP 42924 of 2012)**
28. M/s. Navadurga Billets (P) Ltd., Mothighanapur, Balanagar Mandal, Mahaboobnagar District, Rep. by Managing Director, Sasikumar Agarwal. **(Respondent No.28 impleaded as per Court Order dated 24.06.2015 in WPMP 42925 of 2012)**
29. M/s. Manishreni Ferro Alloys Private Limited, Thurupupalli Village, Anantharajapeta Panchayat, Railway Kuduru Mandal, YSR Kadapa District, Rep. by its Chairman P. Vijay Gopal Reddy. **(Respondent No.29 impleaded as per Court Order dated 24.06.2015 in WPMP 42926 of 2012)**
30. M/s. Hari Om Concast & Steels Pvt. Ltd., (Induction Furnace), (SC.No.MBN.724) Survey Nos.63/p, 64/p and 58/p Reddayapalli Village, Balanagar Mandal, Mahaboobnagar District, Rep. by its Director Sri Rupesh Golas. **(Respondent No.30 impleaded as per Court Order dated 24.06.2015 in WPMP 42927 of 2012)**
31. M/s. Om Sri Sai Ferro Alloys Pvt. Ltd., Thimmanagaripalem Village, Chillakur Mandal, SPSR Nellore District, Rep. by its Managing Director, B. Surendra Reddy. **(Respondent No.31 impleaded as per Court Order dated 24.06.2015 in WPMP 20285 of 2013)**
32. M/s. GMR Ferro Alloys Limited, (Previously Croniment Alloys India Ltd.) Ravivalasa Village, Tekkali Mandal, Srikakulam District, Rep. by its Authorised Signatory, Mr. G. Ramjee. **(Respondent No.32 impleaded as per Court Order dated 24.06.2015 in WPMP 20286 of 2013)**
33. M/s. M.B. Smelters Pvt.Ltd., 72, Manesamudram Area, 9th Kilometer, Hindupur Mandal, Ananthapur District, Rep. by its Managing Director A.D. Monteiro. **(Respondent No.33 impleaded as per Court Order dated 24.06.2015 in WPMP 20287 of 2013)**
34. M/s. Raghavendra Ferro Alloys Limited, Survey No.709 to 713, Aratipamula Village, Kattangal Mandal, Nalgonda District, Rep. by its Managing Director, Mr. K. Srinivas Reddy. **(Respondent No.34 impleaded as per Court Order dated 24.06.2015 in WPMP 20288 of 2013)**

35. M/s. Jindal Stairless Limited, Jindal Nagar, Kothavalasa Village and Mandal, Vizianagaram District, Rep. by its Vice President, Mr. S.K. Agarwal. **(Respondent No.35 impleaded as per Court Order dated 24.06.2015 in WPMP 20289 of 2013)**
36. M/s. Facor Alloys Limited, Garividi Village and Mandal, Vizianagaram District, Rep. by its Chief Executive Mr. M.S.S. Sarma. **(Respondent No.36 impleaded as per Court Order dated 24.06.2015 in WPMP 20290 of 2013)**
37. M/s. Deccan Ferro Alloys Limited, Post Chintalapalem (S.O), Kothavalasa Village and Mandal, Vizianagaram District, rep. by its Managing Director Mr. P.S.R. Raju. **(Respondent No.37 impleaded as per Court Order dated 24.06.2015 in WPMP 20291 of 2013)**
38. M/s. Sai Durga Ferro Alloys Limited, Survey No.199-200, Korlapahad Village, Kethipalli Mandal, Nalgonda District, Rep. by its Director, S.V. Rangaiiah. **(Respondent No.38 impleaded as per Court Order dated 24.06.2015 in WPMP 20292 of 2013)**
39. M/s. VBC Industries Limited, Dinnedavarapadu Village, NH 2, Kurnool, Kurnool District, Rep. by its Managing Director Mr. M.S. Lakshman Rao. **(Respondent No.39 impleaded as per Court Order dated 24.06.2015 in WPMP 21774 of 2013)**

...RESPONDENTS

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 of mandamus or any other appropriate writ or direction declaring the condition No.4 of Clause-45(B) of the A.P. Electricity Regulatory Commission (Conduct of Business) Regulation, 1999 as illegal, arbitrary and ultra vires to the provisions of Electricity Act 2003

Counsel for the Petitioner Nos. 1&3: SRI. R. VINOD REDDY, SC

Counsel for the Petitioner Nos. 2&4: SRI ANUP KOUSIK KARAVADI, SC

Counsel for the Respondent No.1: SRI P. PRASAD, SC FOR TSERC

Counsel for the Respondent Nos. 2to7: SRI K. GOPAL CHOUDARY

**Counsel for the Respondent Nos. 9to19&23to39: Ms. K. JAYASREE REP
SRI D.V.NAGARJUNA BABU**

**Counsel for the Proposed Respondents: SRI DEEPAK CHOWDARY REP
SRI CHALLA GUNARANJAN**

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

Writ Petition No.22086 of 2012

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

Mr. R.Vinod Reddy, learned Standing Counsel appears for petitioners No.1 and 3.

Mr. Anup Koushik Karavadi, learned Standing Counsel appears for petitioners No.2 and 4.

Mr. P.Prasad, learned Standing Counsel for Telangana State Electricity Regulatory Commission appears for respondent No.1.

Mr. K.Gopal Choudary, learned counsel for respondent No.2 to 7.

Ms. K.Jayasree, learned counsel representing Mr. D.V.Nagarjuna Babu, learned counsel appears for respondents No.9 to 19 and 23 to 39.

Mr. Deepak Chowdary, learned counsel represents Mr. Challa Gunaranjan, learned counsel for the proposed respondents.

2. In this writ petition, the petitioners have prayed for the following relief:

“For the reasons stated in the accompanying affidavit, it is prayed that this Court may be pleased to issue a writ of mandamus or any other appropriate writ or direction declaring condition No.4 of Clause-45(B) of the A.P. Electricity Regulatory Commission (Conduct of Business) Regulation 1999 as illegal, arbitrary and *ultra vires* to the provisions of Electricity Act, 2003 and pass such other order or orders as this Court may deem fit and proper in the circumstances of the case.”

3. Learned Senior Counsel for respondents No.2 to 7 submits that Clause 45(B) of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulation 1999 has been repealed by Regulation No.2 of 2013 dated 19.06.2013.

4. In view of the aforesaid submission, the issue involved in the writ petition has been rendered academic.

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5. The Writ Petition is, therefore, dismissed as infructuous.

No costs.

As a sequel, miscellaneous petitions, pending if any, stand closed.

SDI-A.V.S.PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

- To,
1. One CC to SRI. R. VINOD REDDY, SC [OPUC]
 2. One CC to SRI. ANUP KOUSIK KARAVADI, STANDING COUNSEL [OPUC]
 3. One CC to SRI. P. PRASAD, SC FOR TSERC [OPUC]
 4. One CC to SRI. K. GOPAL CHOUDARY, Advocate [OPUC]
 5. One CC to SRI. D. V. NAGARJUNA BABU, Advocate [OPUC]
 6. One CC to SRI. CHALLA GUNARANJAN, Advocate [OPUC]
 7. Two CD Copies

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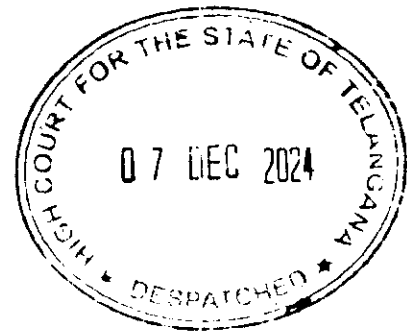
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HIGH COURT

DATED:06/09/2024

ORDER

WP.No.22086 of 2012



**DISMISSING THE WRIT PETITION AS INFRUCTOUS
WITHOUT COSTS**

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Pr
4/12/24