IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

W P. No. 13742 of 2021

Between:

Gampala Laxmaiah Lazer, S/o Veeraiah Aged about 56 years Occ Business R/o Sy No 247/ B Madharam Near Saibaba Temple NH 65 Suryapet Suryapet District Telangana State

… Petitioner

AND

1. The State of Telangana, Rep by its Principal Secretary Power and Energy Department Secretariat Building Hyderabad.

2. Southern Power Distribution Company of Telangana Ltd, Rep by its Chairman and Managing Director Mint Compound Hyderabad.

3. Southern Power Distribution Company of Telangana Ltd, Rep by its Asst Divisional Engineer Operation Suryapet Suryapet District.

…Respondents

COUNTER AFFIDAVIT FILED BY RESPONDENTS 1-3

I , S/o. , Age: years, Occ : Assistant Divisional Engineer (Operations), Suryapet ,TSSPDCL (Telangana State Southern Power Distribution Company Limited),Suryapet District do here by solemnly affirm and state on oath as follows:

I am working as Assistant Divisional Engineer (Operations), Suryapet ,TSSPDCL (Telangana State Southern Power Distribution Company Limited),Suryapet District and well acquainted with the facts of the case and I am authorized to Swear this affidavit on behalf of Respondents 1 & 2.

1. It is submitted that the writ petition is filed declaring the action of the respondents in disconnecting the power supply to the premises Sy No. 247/B Madharam Near Saibaba Temple NH 65 Suryapet Suryapet District where the Sc No .1802402078 is existing as arbitrary illegal highhanded and unsustainable and consequently direct the respondents to restore the power connection to the premises Sy No. 247/ B Madharam Near Saibaba Temple NH 65 Suryapet Suryapet District.

2. It is submitted that as per the records the service connection bearing SC.No 1802402078 is sanctioned in the name of M/S Balaji Engineering Works owned by Sri Seenapally Someshwar Rao to a premises Eedga road Suryapet. Based on a complaint that the service connection has been illegally provided, a detailed field inspection was made by the Additional Assitant Engineer Suryapet Town and the Additional Divisional Engineer and it was noticed that the service connection was shifted unauthorisedly without any sanction to another premises which is about 1 km away. The meter is situated in a premises belonging to some other persons.

3. It is submitted that the allegations of the petitioner that he is conducting the business in the name of Balaji Engineering Works since 2018 is False for the reason that the petitioner has not applied for name change of the service connection as stipulated in the General Terms and Conditions of the Supply (GTCS). The service connection shall be transferred in the name of the another person if an application is made in the consumer service center along with title documents such as copy of Registered sale deed or a lease deed.

4. It is submitted that Sri Sai Seva Samithi represented by secretary had filed a complaint before the consumer Grievances Redressal Forum (CGRF) alleging that the service connection has been fixed in their premises without their consent and knowledge. After inspection a show cause notice dated 02-12-2020 was served on the petitioner to submit the relevant title documents. The petitioner got issued a reply notice through a advocate but did not provide the copies of the title documents to prove his possession. A reply notice dated: 18-12-2020 was also got issued by these Respondents.

5. It is submitted that as a petitioner failed to produce any document to show that the service connection was shifted after obtaining necessary proceedings from these Respondents a service connection was disconnected on 21-12-2020. The power supply cannot be restored as the petitioner an unauthorisedly shifted the meter to a new premises.

6. It is submitted that all the allegations made by the petitioner that are not specifically dealt with herein are denied and the petitioner is put to strict proof of the same.

It is therefore prayed that this Honorable Court may pleased be to dismiss the writ petition with costs in the interest of Justice.

Sworn and signed before me DEPONENT

On this day of August, 2021

At Hyderabad Advocate: Hyderabad

VERIFICATION

I , S/o. , Age: years, Occ : Assistant Divisional Engineer (Operations), Suryapet ,TSSPDCL (Telangana State Southern Power Distribution Company Limited),Suryapet District do hereby verify and declare that the facts stated in the above paragraphs of the affidavit are true to my personal knowledge, belief, information and also legal advise from my counsel.

Hence verified on this the day of August2021 at Hyderabad.

DEPONENT

Counsel for the Respondents