IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

W P. No. 12032 of 2021

Between:

1. Smt. Khadeer Begum @ Khadeerunnissa Begum,

W/o Late Jawab Abdul Salam Khan,

Aged about: 84 years, Occ: Household,

R/o. H.No.23-1-865, Sultan Shahi, Hyderabad.

Represented by her GPA holder Mohd. Moizuddin.

S/o. Zaheeruddin, aged about: 75 years, Occ: Business,

R/o. Bidar, Karnataka, Also at H.No.8-2-675/Q/1,

Forming part of Sy.No.129/15, covered in Ward No.8,

Block No.2, Road No.13, Banjara Hills, Shaikpet, Hyderabad.

2. Bala Praveen,

S/o. Yathirajam, Age: about 46 years,

Occ:Business, R/o. Flat 202, Surya Pearl Apartment,

Kakatiya Nagar, Street No.3, Habsiguda,

Hyderabad, Telangana.

… Petitioners

AND

1. The State of Telangana,

Rep.By its Principal Secretary,

Electricity Department,

Secretariat, Hyderabad.

2. The Chairman and Managing Director,

TSSPDCL, Corporate Office,

Hyderabad, Telangana.

3. The Superintendent Engineer,

TSSPDCL, Banjara Hills,

Hyderabad.

4. The Divisional Engineer

TSSPDCL Electricity Department Banjara Hills Hyderabad Telangana.

5. C Akhilesh Reddy

S/o C ShyamPrsad Reddy Aged about 40 years Occ Business R/O Plot No 95 Road No 13A Banjara Hills Hyderabad.

6. Ponaka Shravan Kumar Reddy  
S/o P Harsha Vardhan Reddy Aged about 40 years Occ Business R/O H No 82674/B/3/4A Plot No 1701 Road No 12 Banjara Hills Hyderabad.

7. D Ramesh  
S/O Not known to the Petitioner No 1 Aged about 45 years Occ Business R/o H No 82674/61 Opposite to Nallapochamma temple Road No 13 Banjara Hills Hyderabad.

8. D Shesha Reddy  
S/o D C Rami Reddy Aged Major Occ Business R/o No 1 Bishop Wailers Avenue West Mylapore Chennai T N 600 004.

…Respondents

COUNTER AFFIDAVIT FILED BY RESPONDENTS 2- 4

I K. Ramakrishna Reddy, S/o. Veera Reddy , Aged about 53Yrs, Occ: Assistant Divisional Engineer, Operations, Banjara Hills, Hyderabad, TSSPDCL do hereby solemnly affirm and state on oath as follows:

I am working as Assistant Divisional Engineer, Operations, Banjara Hills, Hyderabad, TSSPDCL and well acquainted with the facts of the case and I am authorized to swear this affidavit on behalf of Respondents.

1. It is submitted that, the present Writ Petition has been filed to declare the action of Respondent Nos. 1 to 4 in trying to fix a Electricity Meter in the Subject Property bearing H.No.8-2-675/Q/1, forming part of Survey No.129/15 Covered by Road No.8, Block No.2, Situated at Road No.13, Banjara Hills, Hyderabad at the instance of Respondents Nos.5 to 8 as illegal, arbitrary and contrary to the Provisions of the Electricity Act, 2003.

2. In reply to Para 3 & 4, it is submitted that, these Respondents are not aware about the details of ownership in respect of AC 1.00 guntas in survey No.129/15, Shaikpet Village, Road No.13, Banjara Hills, Hyderabad. The petitioner claims that in order to protect 2370 sq.yds they have constructed watchman room. The petitioner executed a registered General Power of Attorney in favour of Mohd. Moizuddin , dated 22-03-1990. The GPA holder as executed a registered Sale Deed, dated 03-03-2021 bearing Document No.2867 of 2021 alienating 2000 sq.yds out of 2370 sy.yds in favour of Sri Singireddy Veera Hanuman Reddy & others and delivered vacant physical position of the property. The petitioner has not disclosed about the same in present Writ Petition.

3. It is submitted that, there are 2 service connections already existing in the preoperty. The service connection bearing SC.No. A9026972 in the name of Sri P.Sharvan Kumar Reddy, the Respondent No.6 herein was released on 29-07-2013. The Service connection bedaring SC.No.A9035853 in the name of Sri Mohd. Moizuddin was released on 27-10-2020.

4. It is submitted that, Sri Singireddy Veera Hanuman Reddy, the Vendee No.1 in Registered Sale Deed dated 03-03-2021 in Document No.2867 of 2021 has filed an application to transfer the Service Connection No.A9035853 as its stands in the name of Sri Mohd. Moizuddin , the GPA of the petitioner herein and the Title Transfer in respect of the said service connection has been effected on 12-05-2021 as the application is in order as per the General Terms and conditions of supply. Sri Singireddy Veera Hanuman Reddy has filed the notarized copy of the Sale Deed dated 03-03-2021 and also the notarized copy of the General Power of Attorney, dated 22-03-1990 executed by the petitioner in the name of Sri Mohd. Moizuddin.

5. It is submitted that, as on today there are no fresh applications filed to provide new service connections to the property mentioned in the present Writ Petition. The petitioners and the un official Respondents are at liberty to get the Civil disputes adjudicated by the appropriated Civil Courts.

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 June, 2021

At Hyderabad

Advocate: Hyderabad

VERIFICATION

I K. Ramakrishna Reddy, S/o. Veera Reddy , Aged about 53Yrs, Occ: Assistant Divisional Engineer, Operations, Banjara Hills, Hyderabad, TSSPDCL 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 June, 2021 at Hyderabad.

DEPONENT

Counsel for the Respondent