

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE NINETEENTH 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 APPEAL NO: 1109 OF 2024

Writ Appeal under clause 15 of the Letters Patent Preferred against the Order dated. 05-06-2024, Passed in WP.No. 11410 of 2024 on the file of the High Court.

Between:

1. Mirza Ahmed Baig Mansoor, S/o. Mirza Ansar Ahmed Baig, Age about 61 years, Occ. Business, R/o. H.No. 19-4-294/62, Miralam, Bahadurpura, Hyderabad.
2. Jaweed Bin Omer Al-Jabri, S/o. Omer Bin Ali Al-Jabri, Aged about 55 years, Occ. Business, Rio. H.No. 18-7-418/263, Rahemath Nagar, Charminar, Hyderabad, T.S.

...APPELLANTS

AND

1. Mrs. Imroze Jehan, W/o. Mohammed Asif, D/o. Mohammed Abdul Wahid Qadri, aged about 50 years, Occ. House wife, R/o. H.No. 6-4-15/11A/12, Kattedan Village, GHMC Rajendra Nagar Circle, Ranga Reddy District - 500 002.

...RESPONDENT No.1/ PETITIONER

2. The Sate of Telangana, rep. by its Secretary, Energy department, Secretariat Building, Hyderabad.
3. The Southern Power Distribution Company of TS Ltd., Operation Circle Rajendra Nagar Division, rep., by its MD.
4. The Asst. Divisional Engineer, Operation, T.S.S.P.D.C.L. Reindra Nagar Circle, Ranaga Reddy District.

...RESPONDENTS

IA NO: 2 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 suspend the Order dated 05.06.2024 passed in Writ Petition No. 11410 of 2024 in the interest of justice.

Counsel for the Appellants: SRI MUNEER BASHA SHAIK

Counsel for the Respondent No.1: SRI G.M.MOHIUDDIN

**Counsel for the Respondent No.2: SRI HERUR RAJESH KUMAR,
GP FOR ENERGY**

Counsel for the Respondent No.3 & 4: SRI R.VINOD REDDY, SC FOR TSSPDCL

The Court delivered the following: JUDGMENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT APPEAL No.1109 of 2024

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

Mr. Muneer Basha Shaik, learned counsel for the appellants.

Mr. G.M.Mohiuddin, learned counsel for respondent No.1.

Mr. Herur Rajesh Kumar, learned Government Pleader for Energy Department for respondent No.2.

2. This intra court appeal has been filed against an order dated 05.06.2024 passed by the learned Single Judge in W.P.No.11410 of 2024, by which writ petition preferred by respondent No.1 has been closed on the ground that the electricity connection has been restored during the pendency of the petition.

3. Facts giving rise to filing of this appeal briefly stated are that respondent No.1 had filed a writ petition

::2::

seeking a direction to declare the action of the Southern Power Distribution Company in disconnecting the electricity connections and in removal of the electricity meters to the house premises of respondent No.1 in Plot No.12, admeasuring 102 square yards, forming part of Municipal No.6-4-15/1/A/12 and forming part of Survey No.57/A, situated at Katedhan Village, GHMC Rajendranagar Circle, Ranga Reddy District.

4. Learned Single Judge noticed that in view of the interim order dated 29.04.2024, the Southern Power Distribution Company has restored the electricity connection to the premises of respondent No.1. The writ petition was therefore closed. Being aggrieved, respondent No.4 and 5 in the writ petition have filed this appeal.

5. Learned counsel for the appellants submitted that the learned Single Judge closed the writ petition without hearing the objections preferred on behalf of the appellants and the civil suits with regard to title are pending between the parties.

::3::

6. We have considered the submission made by learned counsel for the appellants.

7. The learned Single Judge has not adjudicated the dispute between the parties. The scope of the writ petition was only confined to grant of electricity connection. The learned Single Judge has not dealt with the title of the parties, which, needless to state, has to be decided in the civil suits pending between the parties.

8. With the aforesaid clarification, the Writ Appeal is disposed of.

Miscellaneous applications pending, if any, shall stand closed. However, there shall be no order as to costs.

SD/- B.SATYAVATHI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

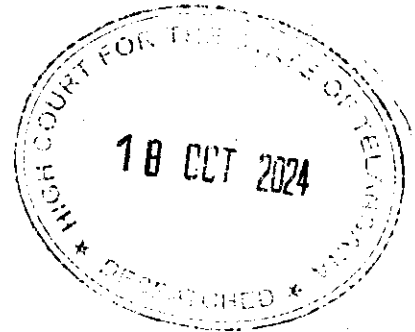
1. The Secretary, Energy Department, Secretariat Building, Hyderabad, State of Telangana.
2. The Managing Director, Southern Power Distribution Company of TS Ltd., Operation Circle Rajendra Nagar Division.
3. The Asst. Divisional Engineer, Operation, T.S.S.P.D.C.L. Rajendra Nagar Circle, Ranaga Reddy District.
4. One CC to SRI MUNEER BASHA SHAIK, Advocate [OPUC]
5. One CC to SRI G.M.MOHIUDDIN, Advocate [OPUC]
6. One CC to SRI R.VINOD REDDY, SC FOR TSSPDCL [OPUC]
7. Two CCs to GP FOR ENERGY, High Court for the State of Telangana at Hyderabad [OUT]
8. Two CD Copies

BSR
LS

4

HIGH COURT

DATED: 19/09/2024



JUDGMENT

WA.No.1109 of 2024

**DISPOSING OF THE WRIT APPEAL,
WITHOUT COSTS**

*① Copies
Sm
7/10/24*