

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

[3418]

THURSDAY, THE FOURTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SRI JUSTICE J SREENIVAS RAO**

WRIT APPEAL NO: 1289 OF 2024

Writ Appeal under clause 15 of the Letters Patent Appeal preferred against the order dated 10/07/2024 in the W.P.No.14453 of 2024 on the file of the High Court.

Between:

M. VIJAYA SHARADA, W/o M. Vykunta Rao, Aged about 57 years, Occ. Home maker, R/o. H.No. 1-4/175-178/53, Kondapur, Serilingampally, R.R. dist.-83.

...APPELLANT

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration, Secretariat Hyderabad.
2. The Managing Director, Administrative Office Building, HMWWS and SB, Kharithabad, Hyderabad, Ts.-500004.
3. The Chief General Manager (Engineering), Operations and Maintenance, Administrative Office Building, HMWWS and SB, Kharithabad, Hyderabad, Ts.-500004.
4. Dy. General Manager, Division XV Office, Kondapur sector, Mayure nagar, Miyapur, Hyderabad, Ts-49.

...RESPONDENTS

IA NO: 3 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 operation of the Judgment of the Learned Single dated 10/07/2024 passed in WP No.14453 of 2024, pending disposal of the Writ Appeal.

Counsel for the Appellant: Ms. M. SIRISHA RANI

**Counsel for the Respondent No.1: GP FOR MUNICIPAL ADMINISTRATION
AND URBAN DEVELOPMENT**

**Counsel for the Respondent Nos. 2 to 4: SRI G. NARENDER REDDY,
STANDING COUNSEL**

The Court made the following: JUDGMENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT APPEAL No.1289 of 2024

JUDGMENT: *(Per the Hon'ble Sri Justice J. Sreenivas Rao)*

This intra court appeal has been filed by the appellant invoking the provisions of Clause 15 of the Letters Patent aggrieved by the order passed by the learned Single Judge in Writ Petition No.14453 of 2024 dated 10.07.2024, by which the writ petition filed by the appellant was dismissed and the appellant was directed to avail the remedy of appeal provided under the Hyderabad Metropolitan Water Supply and Sewerage Board Act, 1989 (hereinafter referred to, as 'the Act').

2. Heard Ms. M. Sirisha Rani, learned counsel for the appellant.

3. **Brief facts of the case:**

3.1. The appellant is claiming that she is the owner of premises bearing H.No.1-4-175-178/53, Prabhupada

Township, Kondapur, Serilingampally, Ranga Reddy District, and she obtained water service connection with 20 mm dia from respondent No.2 in February, 2019 and respondent No.2 disconnected the said water connection in April, 2020 on the ground that the appellant has not paid the amount. It is further averred that on 12.09.2020, the appellant paid an amount of Rs.83,625/-. In spite of the same, the respondent authorities have not restored the water connection.

3.2. According to the respondents, the appellant was due of an amount of Rs.1,93,287/-. In spite of demand made by the respondent authorities, the appellant has not paid the said amount. Hence, respondent authorities rightly disconnected the water supply.

3.3. Learned Single Judge has dismissed the writ petition and relegated the appellant to avail the remedy of appeal under the Act.

4. Learned counsel for the appellant contended that though the appellant has paid an amount of Rs.83,625/- on

12.09.2020, without taking into consideration the said fact, disconnected the water supply. She further contended that the appellant applied for re-connection of water pipe size from 20 mm to 15 mm and made several requests on 03.08.2022, 19.12.2022 and 11.05.2024 to respondent No.4. In spite of the same, the respondent authorities have not taken any steps. Learned Single Judge without taking into consideration the said facts dismissed the writ petition.

5. This Court considered the submissions made by the learned counsel for the appellant and perused the material available on record.

6. According to the respondents, the appellant is due to an amount of Rs.1,93,287/- towards water and sewerage charges as on 01.07.2024, whereas the appellant is disputing the same. The appellant raised several disputed questions of facts and the same cannot be adjudicated in the writ petition. Learned Single Judge rightly relegated the appellant to avail the remedy of appeal as provided under the Act. Hence, this Court does not find any ground to interfere

with the impugned order passed by the learned Single Judge. However, in the event the appellant files an appeal, the appellate authority is directed to decide the appeal on merits uninfluenced by any of the observations made in the impugned order passed by the learned Single Judge.

7. To the aforesaid extent, the order passed by the learned Single is modified and the writ appeal is disposed of. No costs.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- K. SHYLESI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

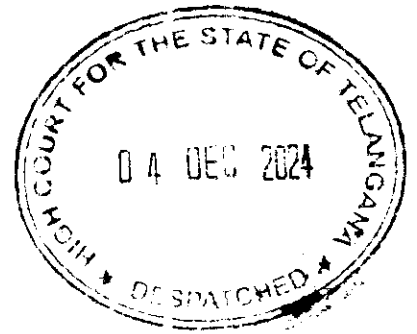
1. The Principal Secretary, Municipal Administration, Secretariat, T.S., Hyderabad.
2. The Managing Director, Administrative Office Building, HMWWS and SB, Kharithabad, Hyderabad, TS.-500004.
3. The Chief General Manager (Engineering), Operations and Maintenance, Administrative Office Building, HMWWS and SB, Kharithabad, Hyderabad, Ts.-500004.
4. The Dy. General Manager, Division XV Office, Kondapur Sector, Mayure nagar, Miyapur, Hyderabad, TS-49.
5. One CC to Ms. M. SIRISHA RANI, Advocate [OPUC]
6. Two CCs to GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. [OUT]
7. One CC to SRI G. NARENDER REDDY, Standing Counsel [OPUC]
8. Two CD Copies

BM
MP



HIGH COURT

DATED:14/11/2024



JUDGMENT

WA.No.1289 of 2024

**DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS**

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2/12/24
10/11