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APHC010316062026



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3329]

MONDAY, THE 29th DAY OF JUNE 2026

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 16579/2026

Between:

1. GARIKINA SATYARAO, S/O G.TATAYYA, AGED ABOUT 51 Y, R/O
D.NO.1-108, PEDATEENARLA, NAKKAPALLI MANDAL,
ANAKAPALLI DISTRICT, ANDHRA PRADESH.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS
PRINCIPAL SECRETARY, ENERGY DEPARTMENT, A.P
SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT,
ANDHRA PRADESH -522238.

2. THE ANDHRA PRADESH EASTERN POWER DISTRIBUTION
COMPANY LIMITED APEPDCL, REPRESENTED BY ITS CHAIRMAN
AND MANAGING DIRECTOR, P AND T COLONY,
SEETHAMMADHARA, VISAKHAPATNAM DISTRICT, ANDHRA
PRADESH - 530013.

3. THE SUPERINTENDENT ENGINEER OPERATION CIRCLE, THE
ANDHRA PRADESH EASTERN POWER DISTRIBUTION COMPANY
LIMITED (APEPDCL), ANAKAPALLI, ANAKAPALLI DISTRICT,
ANDHRA PRADESH -531001.

4. THE DEPUTY EXECUTIVE ENGINEER, THE APEPDCL,
ATCHUTAPURAM, ANAKAPALLI DISTRICT, ANDHRA PRADESH

531001.

5.THE ASSISTANT EXECUTIVE ENGINEER, THE APEPDCL, UPMKA, NAKKAPALLI MANDAL, ANAKAPALLI DISTRICT, ANDHRA PRADESH -531001.

6.THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT A.P SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT, ANDHRA PRADESH -522238.

7.THE PEDATEENARLA GRAM PANCHAYAT, REPRESENTED BY ITS PANCHAYAT SECRETARY, NAKKAPALLI MANDAL, ANAKAPALLI DISTRICT -531001.

...RESPONDENT(S):

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 topleased to issue a writ of mandamus or any other appropriate writ, order or direction - declaring the action of the Respondents herein particularly Respondents Nos.2 to 5 in not processing the New Service Connection Application No.NSCREG03924523,, made by the Petitioner for the grant/supply of a new domestic electricity/power service connection / installation of a new electric meter at the petitioners premises / dwelling house on the subject premises/property/land in Sy.No.113-9B, of Pedateenarla Village, Nakkapalli Mandal, Anakapalli District, sans a No-Objection Certificate (NOC) from the 7th Respondent and thereby denying access to the indispensable utility service of electricity as unjust, arbitrary, against the principles of natural justice, violative of the Articles 14, 19, 21 and 300Aof the Constitution of India, the provisions of the Electricity Act, 2003 and the mandate of the law and consequently directing the Respondents herein particularly Respondents Nos.2 to 5 to provide a new domestic electricity/ power service connection / install a new electric meter in the name of the petitioner at the petitioners premises / dwelling house on the subject premises/property/land in Sy.No.113-9B, of Pedateenarla Village, Nakkapalli Mandal, Anakapalli District, sans a No-Objection Certificate (NOC) from the 7th Respondent and pass

IA NO: 1 OF 2026

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

pleased to direct the Respondents herein particularly Respondents Nos.2 to 5 to provide a new domestic electricity/power service connection / install a new electric meter in the name of the petitioner at the petitioner's premises / dwelling house on the subject premises/property/land in Sy.No.113-9B, of Pedateenarla Village, Nakkapalli Mandal, Anakapalli District, and pass

Counsel for the Petitioner:

- 1.MOJJADA HARI KRISHNA

Counsel for the Respondent(S):

- 1.GP FOR PANCHAYAT RAJ RURAL DEV
- 2.GP FOR ENERGY
- 3.V V SATISH (SC for APEPDCL)
- 4.Y KOTESWARA RAO

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 16579/2026

ORDER:-

This writ petition is filed under Article 226 of the Constitution of the India seeking the following reliefs:-

“to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents herein particularly Respondents Nos.2 to 5 in not processing the New Service Connection Application No.NSCREG03924523, made by the Petitioner for the grant/supply of a new domestic electricity/power service connection/installation of a new electric meter at the petitioners premises/dwelling house on the subject premises/property/land in Sy.No.113-9B, of Pedateenarla Village, Nakkapalli Mandal, Anakapalli District, sans a No-Objection Certificate (NOC) from the 7th Respondent and thereby denying access to the indispensable utility service of electricity as unjust, arbitrary, against the principles of natural justice, violative of the Articles 14, 19, 21 and 300A of the Constitution of India, the provisions of the Electricity Act, 2003 and the mandate of the law and consequently directing the Respondents herein particularly Respondents Nos.2 to 5 to provide a new domestic electricity/ power service connection / install a new electric meter in the name of the petitioner at the petitioners premises/dwelling house on the subject premises/property/land in Sy.No.113-9B, of Pedateenarla Village, Nakkapalli Mandal, Anakapalli District, sans a No-Objection Certificate (NOC) from the 7th Respondent and pass such other order or orders....”

2. Heard learned counsel for the petitioner and learned Standing Counsel for the respondents.

3. Learned counsel for the petitioner submits that the petitioner herein purchased a plot in an unauthorized layout in the year 2023 through a registered sale deed dated 09.11.2023. Since then, the petitioner has been in peaceful possession and enjoyment of the subject land and later, the

petitioner herein got constructed a residential house thereon. Moreso, there is no dispute regarding title and possession in respect of the subject property. Since the petitioner completed construction of house, the petitioner herein submitted an application to the respondent Nos.2 to 5 seeking for grant of new electricity service connection to the subject building through online. He further submits that the said application of the petitioner was submitted long back. Thereafter, the petitioner herein again submitted a representation dated 04.06.2026 requesting for grant of electricity supply connection to the subject building of the petitioner. But for one reason or the other, the respondents did not consider the same. Hence, the Writ Petition.

4. On the other hand, learned Standing Counsel for the respondents submits that in view of non-granting of NOC/ house tax, the respondents would not consider the application of the petitioner.

5. Heard both the learned counsel and perused the material placed on record.

6. As per the General Terms and Conditions of Electricity Supply, even an encroacher or rightful possessor is entitled for electricity service connection. But in the instant case, the petitioner is having valid title as well as possession of the subject plot wherein he got constructed a house. Mere declaration of the subject layout as unauthorized layout cannot invalidating the claim of the petitioner to have an electricity service connection in view of the General Terms and Conditions of Electricity Supply. In view of the same, the petitioner

herein stands better footing than an encroacher or possessor to have a service connection. Hence, the respondents cannot deny the entitlement of the petitioner to have an electricity service connection.

6. Accordingly, the respondents herein are directed to consider the application of the petitioner and pass appropriate orders, within a period of three (03) weeks from the date of receipt of a copy of this order, if necessary, after providing opportunity of hearing to the petitioner. Further, the respondents are directed to grant electricity service connection to the subject property of the petitioner, if the petitioner is otherwise eligible in all respects.

7. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall also stand closed.

VENKATESWARLU NIMMAGADDA, J

Date:29.06.2026
BSP/TPS

Whether the order is :

Speaking Yes/No / Reasoned Yes/No

Reportable Yes/No / Non-Reportable Yes/No

52

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 16579/2026

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BSP/TPS