

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

THE HON'BLE SMT. JUSTICE RENUKA YARA

W.P.No.520 of 2026

16th -MARCH, 2026

Between:

B. Vijay Kumar

...Petitioner

AND

The State of Telangana,
Through its Principal Secretary,
Energy, TG Secretariat,
Hyderabad and 6 others

...Respondents

ORDER:

This writ petition is filed with the following prayer:

“to issue a Writ more particularly in the nature of Writ of Mandamus against the Respondents declaring the action of the Respondents 4 and 5 in disconnecting the Electricity supply to the Petitioners Stone Crushing Unit to meter No. SGR1629 by name and style of M/s. Venkateshwara Stone Crusher operating in Survey No.3/A Rampur Village Jharasangam Mandal Sangareddy District without any notice or explanation as illegal arbitrary unconstitutional and violative of Principles of Natural Justice and also Articles 14, 19 and 21 of Constitution of India and also the provisions of Electricity Act 2003 and consequently direct the Respondents 4 and 5 to restore the supply of Electricity to the petitioner forthwith...”

2. Heard Mr. Sankalp Pissay, learned counsel for the petitioner, Ms. Jyothi Naik, learned Assistant Government Pleader for respondent No.1 and Mr. N.Sreedhar Reddy, learned Standing Counsel for respondent Nos.2 to 7.

3. The petitioner is running a Stone Crushing Unit by name M/s. Venkateswara Stone Crusher at Survey No.3/A, Rampur Village, Jharasangam Mandal, Sangareddy. The petitioner obtained the required licenses and approvals from the concerned Departments for running the Stone Crushing Unit. The Stone Crushing Unit is being run from the year 2007 till date. On 25.12.2025, the electricity supply to the Stone Crushing Unit with meter No.SGR1629 was disconnected without any notice and prior intimation. The petitioner received a Whatsapp communication to submit the listed documents on the same day. The petitioner submitted PDF copies of the required documents in reply to the Whatsapp message received from the respondents on the same day. On account of disconnection of the electric supply, the petitioner approached the Electricity Consumer Grievances Redressal Forum (for short, 'CGRF') on 25.12.2025 and also approached this Court. In view of the interim order passed by this Court on 28.01.2026, the complaint raised before CGRF was closed in the month of February, 2026.

4. The petitioner contends that the disconnection of electric supply is contrary to Sections 47(3), 56 and 135 (1A) of the Electricity Act, 2023. The respondents are empowered to disconnect electric supply when reasonable security is not furnished, when dues are not paid, and when there is theft of electricity with unauthorized connections. In the instant case, the reason for disconnection does not fall under any of the aforementioned category. Therefore, it is pleaded that the action of respondent Nos.4 and 5 is contrary and illegal.

5. Respondent Nos.2 to 7 opposed the writ petition by filing counter stating that the respondents, at the request of Government Departments, in order to weed out the bogus connections and connections obtained without proper and valid permissions to mining industries, which are causing pollution, have taken a decision to obtain copies of required permissions/certificates/licenses obtained by the said industries from the respective Government Departments for running such industries. It is further pleaded that respondent Nos.6 and 7 have sent notices to the petitioner requesting copies of relevant documents for continuing the service connection with a caution that in case of failure to supply the documents, there would be disconnection of power supply.

6. It is the case of respondents that the petitioner did not furnish the documents and therefore there was disconnection of power supply to the petitioner's stone crushing unit. Alternatively, it is pleaded that the petitioner approached the CGRF *vide* complaint dated 25.12.2025 and therefore, he cannot approach this Court invoking Article 226 of the Constitution of India. Further, it is pleaded that when the petitioner submits the attested copies of relevant documents, on being satisfied, the power supply would be restored. In case of failure to submit the documents, the power supply cannot be restored.

7. Learned counsel for the petitioner submits that the disconnection of power supply by the respondents is illegal, as such an action is not contemplated on their part under the Electricity Act, 2013. Reference is made to Sections 47(3), 56 and 135 (1A) of the Act, which give scope for

disconnection of power supply only when the reasonable security is not furnished or when dues are not paid or when there is theft of electricity. It is submitted that the respondents cannot take up the cause of preventing pollution on behalf of other Departments of the State Government as the same is an onerous task which cannot be performed by the Electricity Department. It is emphasized that the act of the respondents is not permissible under the Electricity Act and therefore, illegal and arbitrary.

8. Learned counsel for respondents submits that the Stone Crushing Units are being run without required permissions from the concerned Departments and such a situation is leading to pollution. At the request of concerned Departments, the respondents are sending notices to the stone crushing units to submit attested copies of the permissions required and taken from the concerned Departments for running the stone crushing unit.

9. In that context, learned counsel for the respondents relied upon the judgment of the Hon'ble Supreme Court in **Rajendra Kumar Barjatya vs U.P. Avas Evam Vikas Parishad and others**¹ wherein it is held that whenever there is a request from respective authorities such as the Planning Department or from another Department to take action against any unauthorized construction, the Electricity Department has to render immediate assistance and cooperation to said Department. On the basis of aforementioned judgment, it is submitted that the respondents, upon

¹ 2024 SCC OnLine SC 3767

receiving communication from the Pollution Control Department, have taken action against the petitioner herein.

10. In reply, learned counsel for the petitioner submitted that the judgment rendered by the Hon'ble Supreme Court in **Rajendra Kumar**¹ stated *supra*, is in the context of an unauthorized construction i.e., a construction made without obtaining building permit etc., and such a situation is not applicable to the facts of the present case, which is a Stone Crushing Unit, being run with all the permissions and approvals from the concerned Departments. Further, it is asserted that all the documents were submitted through Whatsapp to the respondents and without giving any information about whether the documents furnished would suffice the notice issued by the respondents, the extreme action of disconnection was taken up.

11. In view of the above versions presented by both the learned counsel, it is seen that first and foremost, the Electricity Act does not give any right to the respondents to disconnect the power supply to Stone Crushing Units when the said Stone Crushing Units have furnished security deposit, when there are no dues and when there is no theft of electricity. Coming to the aspect of cooperating with other Departments of the State Government, no evidence is placed on record to believe the version that there is a request from Pollution Control Board to the Electricity Department, requesting to disconnect the power supply to the petitioner unit. Further, as per evidence placed before this Court when the petitioner received notice dated 24.12.2025, immediately, attested copies of the required permits and

approvals were sent to the respondents but there is no communication from the respondents as to whether the documents furnished would meet the requirements of the notice. Without such reply and without any communication from Pollution Control Board, disconnecting power supply does constitute any arbitrary act on the part of the respondents and therefore, unsustainable.

12. Learned Standing Counsel for respondent Nos.2 to 7 submits that respondent Nos.4 and 5 have already restored power supply pursuant to the interim order passed by this Court *vide* order dated 28.01.2026.

13. In the result, the Writ Petition is allowed directing the respondent Nos.4 and 5 not to disconnect electricity supply to the petitioner's stone crushing unit with meter No.SGR1629 by name and style of M/s. Venkateshwara Stone Crusher, without following the due process of law. No costs.

Miscellaneous petitions, if any pending, shall stand closed.

JUSTICE RENUKA YARA

Date: 16.03.2026
rsp