

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE V.CHITAMBARESH**

**TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 19361**

**WP(C).No. 5258 of 2013 (F)**  
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**PETITIONER:**  
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**RECTOR,  
DON BOSCO SCHOOL,  
IRINJALAKUDA**

**BY ADVS.SRI.K.B.GANGESH  
SMT.SMITHA CHATHANARAMBATH**

**RESPONDENTS:**  
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- 1. STATE OF KERALA  
REP. BY THE SECRETARY TO GOVERNMENT,  
POWER DEPARTMENT  
THIRUVANANTHAPURAM-695001.**
  - 2. THE KERALA STATE ELECTRICITY BOARD,  
REP. BY ITS CHAIRMAN, VYDUTHI BHAVAN, PATTOM  
THIRUVANANTHAPURAM-695001.**
  - 3. THE ASSISTANT ENGINEER  
KSEB, ELECTRICAL SECTION NO. II, IRINJALAKUDA-680121.**
- R1 BY GOVERNMENT PLEADER SRI. T. R. RAJESH  
R2 & R3 BY SRI.JAICE JACOB, SC, KERALA STATE ELECTRICITY BOARD**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
06-01-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**DCS**

**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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- P1 : COPY OF THE DEMAND FOR ARREARS IN RESPECT OF CONSUMER NO. 1746 OF THE PETITIONER'S SCHOOL MADE BY THE 3RD RESPONDENT DATED 13.02.2013**
- P2 : COPY DEMAND FOR ARREARS IN RESPECT OF CONSUMER NO. 3995 OF THE PETITIONER'S SCHOOL MADE BY THE 3RD RESPONDENT DATED 13.02.2013**
- P3 : COPY DEMAND FOR ARREARS IN RESPECT OF CONSUMER NO. 8963 OF THE PETITIONER'S SCHOOL MADE BY THE 3RD RESPONDENT DATED 13.02.2013**
- P4 : COPY OF INTERIM ORDER OF THIS HON'BLE COURT IN WRIT PETITION (CIVIL) NO. 263/2013 DATED 03.01.2013**

**RESPONDENT(S)' EXHIBITS:-**  
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**/TRUE COPY/**

**P.A. TO JUDGE**

**DCS**

**V. CHITAMBARESH, J**

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**W.P.(C). NO. 5258 OF 2013**  
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Dated this the 06<sup>th</sup> day of January, 2015

**JUDGMENT**

The short question is as to whether a private educational institution is liable to be charged under LT VIA Tariff or LT VIIA Tariff. The issue is pending consideration before the Supreme Court in the appeal from **Bro. Joseph Antony v. KSEB [2009 (3) KLT 1022]**. I find that similar writ petitions have been disposed of permitting the respondents to charge the private educational institutions under LT VIIA Tariff. But the arrears of electricity charges on the basis of LT VIIA Tariff shall not be collected. The same can be done only dependent on the decision of the Supreme Court on the issue as held in W.P.(C).No. 30323/2012.

The writ petition is disposed of accordingly.

**V. CHITAMBARESH  
JUDGE**

DCS