

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 3RD DAY OF FEBRUARY 2015/14TH MAGHA, 1936

WP(C).No. 3320 of 2015 (L)

PETITIONERS:

1. SALI P.P., AGED 46 YEARS, S/O. AYYAPPAN PANI,
POOJA NETWORK, POOVANTHURUTH P.O.,
KOTTAYAM DISTRICT.
2. M.K. REJIMON, AGED 46 YEARS
S/O. KESAVAN, MEGHADOOD CABLE VISION,
ARPOOKKARA EAST P.O., KOTTAYAM.
3. JAMES CYRIAC, S/O. CYRIAC,
PAN VISION, ATHIRAMPUZHA P.O.
KOTTAYAM.
4. SHINE V. KORAH, S/O. KORAH,
KAIRALI CABLE TV NETWORK,
MOOLEDAM P.O., KOTTAYAM.

BY ADVS. SRI. RENJITH THAMPAN (SR.)
SMT. P.R. REENA

RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD LIMITED
REPRESENTED BY ITS SECRETARY,
VAIDYUTHI BHAVAN, THIRUVANANTHAPURAM, PIN - 695 004.
2. THE EXECUTIVE ENGINEER
ELECTRICAL DIVISION OFFICE, K.S.E.B. PALLOM
KOTTAYAM DISTRICT, PIN - 686 007.
3. THE EXECUTIVE ENGINEER
ELECTRICAL DIVISION OFFICE, K.S.E.B. VAIKOM
KOTTAYAM DISTRICT, PIN - 686 605.
4. CHIEF ENGINEER, ELECTRICAL CIRCLE OFFICE,
K.S.E.B., THIRUVANANTHAPURAM PIN - 695 004.

R BY SRI. JAICE JACOB, SC, KERALA STATE ELECTRICITY BOARD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 : TRUE COPY OF THE AGREEMENT EXECUTED BY THE 1ST PETITIONER WITH THE ELECTRICITY BOARD DATED 04/01/2011.
- EXT.P2 : TRUE COPY OF THE ORDER OF THE KERALA STATE ELECTRICITY BOARD DATED 31/12/2014.
- EXT.P3 : TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONERS BEFORE THE 4TH RESPONDENT DATED 20/01/2015.
- EXT.P4 : TRUE COPY OF THE ORDER OF THE KERALA STATE ELECTRICITY BOARD DATED 25/02/2012.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 3320 OF 2015

Dated this the 3rd day of February, 2015

JUDGMENT

The retrospective hike in pole rental is impugned by the petitioners. Clause 9 of Ext.P1 agreement provides for resolution of the dispute by the fourth respondent Chief Engineer. The petitioners have in this regard submitted Ext.P3 representation with the fourth respondent.

2. I direct the concerned Chief Engineer to consider Ext.P3 representation with notice to the petitioners. The needful shall be done within a period of one month from the date of receipt of a copy of this judgment.

3. The coercive steps as against the petitioners shall be put on hold in the meanwhile. This is however subject to the condition that the arrears on the basis of pre-revised rate are cleared.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**