

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 1937

WP(C).No. 7158 of 2008 (B)

PETITIONER:

LAKESHORE HOSPITAL & RESEARCH CENTRE LTD.,
MARADU, NETTOOR P.O., ERNAKULAM
REPRESENTED BY ITS FINANCE MANAGER &
COMPANY SECRETARY, P. SURESH KUMAR.

BY ADV. SRI. P. DEEPAK

RESPONDENTS:

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1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS CHAIRMAN,
'VYDYUTHI BHAVAN', THIRUVANANTHAPURAM.
 2. DEPUTY CHIEF ENGINEER,
ELECTRICITY CIRCLE,
POWER HOUSE ROAD, KOCHI-18.
 3. THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, MARADU.

R1 TO R3 BY ADV. SMT. NAZEEBA O.H., KSEB
R BY SRI. P. P. THAJUDEEN, SC, K.S.E.B

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06-07-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE HT AGREEMENT DATED 24.04.2003.
- EXHIBIT P2 : TRUE COPY OF THE COMMUNICATION DATED 24.01.2008 OF THE
2ND RESPONDENT.
- EXHIBIT P3 : TRUE COPY OF THE JUDGMENT DATED 26.05.2005 IN WPC NO.
15770 OF 2005.
- EXHIBIT P4 : TRUE COPY OF THE ORDER OF THE DEPUTY CHIEF ENGINEER,
APTS, THIRUVANANTHAPURAM DATED 06.06.2006.
- EXHIBIT P5 : A TRUE COPY OF THE PROCEEDINGS OF THE 2ND RESPONDENT
DATED 12.08.2003.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 7158 OF 2008

Dated this the 6th day of July, 2015

JUDGMENT

The issue pertains to the refund of the service connection charges collected from the petitioner as a high tension consumer. The petitioner relies on the judgment dated 03.07.2013 in Appeal No. 128/2012 of the Appellate Tribunal for Electricity. The petitioner has paid the amount under protest pending disposal of the writ petition.

2. I direct the second respondent to take necessary steps in this regard in the light of the concluded judgments on the issue. The needful shall be done within a period of one month from the date of production of a copy of this judgment. The amount if found refundable shall be disbursed with applicable interest in terms of the judgment of the appellate tribunal.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**