

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 23RD DAY OF FEBRUARY 2015/4TH PHALGUNA, 1936

WP(C).No. 5626 of 2015 (C)

PETITIONER(S):

**P.PARAMESWARAN, AGED 65 YEARS,
S/O. NARAYANAN NAMBOODIRI, RESIDING AT 47/286,
PALAKKEEZH HOUSE, USHUS AVENUE, OPPOSITE: ANJALI NAGAR,
KANIKKAMATHA CONVENT ROAD, PALLIPPURAM P.O.,
PALAKKAD-678 006.**

**BY ADVS.SRI.P.NANDAKUMAR
SRI.M.RAHUL**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE PRINCIPAL SECRETARY,
POWER(A)DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. KERALA STATE ELECTRICITY REGULATORY COMMISSION,
KPFC BHAVANAM, VELLAYAMBALAM,
THIRUVANANTHAPURAM - 695 010,
REPRESENTED BY ITS SECRETARY.**

**R1 BY SENIOR GOVERNMENT PLEADER SRI.V.VIJULAL
R2 BY ADV. SRI.S.SUJIN, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
23-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 5626 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT. P1 : TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT DTD.4.6.2008.

EXT. P2 : TRUE COPY OF THE SUBMISSION OF THE PETITIONER DTD.5.1.2009.

**EXT. P3 : TRUE COPY OF THE LETTER OF THE 2ND RESPONDENT DTD.9.6.2009 TO
THE 1ST RESPONDENT.**

**EXT. P4 : TRUE COPY OF THE REPRESENTATION OF THE PETITIONER DTD.19.8.2010
TO THE 1ST RESPONDENT.**

**EXT. P5 : TRUE COPY OF THE LETTER OF THE 2ND RESPONDENT DTD.2.11.2009 TO
THE 1ST RESPONDENT.**

EXT. P6 : TRUE COPY OF THE ORDER OF THE 1ST RESPONDENT DTD.13.1.2011.

**EXT. P7 : TRUE COPY OF THE LETTER OF THE 2ND RESPONDENT DTD.4.9.2013 TO
THE 1ST RESPONDENT.**

**EXT. P8 : TRUE COPY OF THE REPRESENTATION DTD.1.9.2014 OF THE PETITIONER
TO THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.5626 of 2015

Dated this the 23rd day of February, 2015

JUDGMENT

The petitioner was appointed as the first Electricity Ombudsman of the State. The petitioner retired from the service of the Kerala State Electricity Board as the Chief Engineer(System Operation). As per the terms of the appointment, he was entitled monthly consolidated remuneration of Rs.30,000/- less pension. The pension was made by the Kerala State Electricity Board, the monthly consolidated remuneration of the petitioner got drastically reduced to Rs.3,506/- per month. On the basis of the requests made by the Kerala State Electricity Regulatory Commission and the petitioner, the Government issued Ext.P6 order making the consolidated remuneration payable to the Electricity Ombudsman at Rs.30,000/- excluding pension. The petitioner

submits that it was not given retrospective effect. The petitioner's period as Ombudsman expired on 24.10.2010. The petitioner submits that in the light of Ext.P6 order, the petitioner should be given remuneration from the date of the appointment. Ext.P7 is the recommendation of the Kerala State Electricity Regulatory Commission. The petitioner has also made a request before the Hon'ble Minister of Electricity by Ext.P8.

In the light of the request made as above, the petitioner shall make a detailed representation with reference to Exts.P6 and P7 before the first respondent. If such representation is made within a period of two weeks, necessarily, an appropriate decision shall be taken thereon by the first respondent within a further period of three months after affording an opportunity of hearing to the petitioner.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE