

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

WP(C).No. 6744 of 2015 (P)

PETITIONER:

**CHARLY E. ABRAHAM
EDAMANAMYALIL HOUSE,
MEVELLOOR P.O.
KOTTAYAM DISTRICT - 686 609**

BY ADV. SRL.JOHN T.PAUL

RESPONDENTS:

- 1. ASSISTANT ENGINEER, KSEB ELECTRICAL SECTION
KSEB ELECTRICAL SECTION, PERUVA, KOTTAYAM DISTRICT
686 610**
- 2. ASSISTANT EXECUTIVE ENGINEER
KSEB - APTS, POOVANTHURUTHU P.O.,
KOTTAYAM - 686 012**
- 3. AJESH KUMAR T.V.,SUB ENGINEER
KSEB ELECTRICAL SECTION,PERUVA, KOTTAYAM DISTRICT
- 686 610**
- 4. M.V.MADHU, ASSISTANT EXECUTIVE ENGINEER
KSEB - APTS, POOVANTHURUTHU P.O., KOTTAYAM - 686 012**

BY SRL.JAICE JACOB, SC, KERALA STATE ELECTRICITY BOARD

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

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COPY OF THE CERTIFICATE ISSUED BY THE VETERINARY SURGEON, MULAKULAM DATED 2.3.2015**
- P2 : COPY OF THE CERTIFICATE NO. KBV 10/2014-15 ISSUED BY THE AGRICULTURAL OFFICER, MEVELLOOR DATED 16.02.2015**
- P3 : COPY OF THE SITE MAHASUR DATED 16.02.2015**
- P4 : COPY OF THE PROVISIONAL ASSESSMENT ORDER NO. BB/PVA/INSPN/2014/40 DATED 18.02.2015**
- P5 : COPY OF THE FINAL BILL NO. DB/15/PROCEEDINGS/14-15/PVA/39 DATED 28.02.2015**
- P6: COPY OF THE NOTICE OF DISCONNECTION DATED 16.02.2015**
- P7: THE PHOTOGRAPHS OF THE FARM HOUSE AND DRIED NUTMEG SAMPLE**
- P8: THE RELEVANT SCHEDULE OF TARIFFS FOR RETAIL SUPPLY BY KSEB BY THE KERALA STATE ELECTRICITY REGULATORY COMMISSION**
- P9: THE RELEVANT PORTION OF THE KSERC ORDER DATED 25.07.2012 IN O.P.NO. 23/2012**
- P10: THE RELEVANT SCHEDULE OF TARIFFS FOR RETAIL SUPPLY BY KSEB WITH EFFECT FROM 1.5.2013 BY THE KERALA STATE ELECTRICITY REGULATORY COMMISSION**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 6744 OF 2015

Dated this the 03rd day of March, 2015

JUDGMENT

Ext. P5 bill issued under Section 126 of the Electricity Act, 2003 is impugned. The same can as well be challenged in an appeal under Section 127 of the said Act. An appellate authority has been newly constituted pursuant to the decision in **Muhammed Haji v. Kerala State Electricity Board [2014(3) KLT 706]**.

2. The petitioner is conducting a farm house and the electricity connection has been snapped. The electricity connection shall be restored on the petitioner depositing one half of the demand made under Ext. P5 bill. This would be in compliance with statutory deposit to maintain an appeal under Section 127 of the Electricity Act. The appeal should also be filed within the time permitted by law. The appeal if any supported by the statutory deposit shall be disposed of by the appellate authority without delay.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS