

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

WP(C).No. 11471 of 2009 (D)

PETITIONER(S):

LIJO JOSEPH, M/S.ORMA MARBLE WORLD,
THALORE, THRISSUR.

BY ADVS.SRI.WILSON URMESSE
SRI.KURIAKOSE G.THEKKEL

RESPONDENT(S):

1. THE ASSISTANT ENGINEER, ELECTRICAL
SECTION, K.S.E.B., OLLUR.
2. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, KSEB, OLLUR
THRISSUR.
3. THE EXECUTIVE ENGINEER, ELECTRICAL
DIVISION (EAST), KSEB, THRISSUR.
4. THE KERALA STATE ELECTRICITY BOARD,
VAIDYUTHI BHAVAN, THIRUVANANTHAPURAM REPRESENTED
BY ITS SECRETARY.

R,R1 TO R4 BY ADV. SRI.P.P.THAJUDEEN, SC, K.S.E.B
R,R1 TO 4 BY ADV. SRI.C.K.KARUNAKARAN, SC FOR KSEB
R1-R4 BY ADV. SRI.P.SANTHALINGAM (SR.)
R1-R4 BY ADV. SRI.S.SHARAN,SC,K.S.E.BOARD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) No.11471 of 2009

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE PROVISIONAL REGISTRATION AS SSI UNIT DATED 17.11.2000.
- EXHIBIT P2 : TRUE COPY OF THE AGREEMENT MG.NO.1/OLR/03-04 EXECUTED BY THE PETITIONER.
- EXHIBIT P3 : TRUE COPY OF THE LETTER DATED 16.8.2003 OF THE THIRD RESPONDENT.
- EXHIBIT P4 : TRUE COPY OF THE LETTER DATED 9.7.2003 SUBMITTED BY THE PETITIONER.
- EXHIBIT P5 : TRUE COPY OF THE MAHAZAR REPORT DATED 29.8.2003
- EXHIBIT P6 : TRUE COPY OF THE NOTICE DATED 11.9.2003 OF THE SECOND RESPONDENT.
- EXHIBIT P7 : TRUE COPY OF THE BILL DATED 5.9.2003 ISSUED BY THE SECOND RESPONDENT.
- EXHIBIT P8 : TRUE COPY OF THE JUDGMENT DATED 6.3.2002 IN OP.NO.736/2002
- EXHIBIT P9 : TRUE COPY OF THE JUDGMENT DATED 26.9.2003 IN W.P.(C) NO.29459/2003
- EXHIBIT P10 : TRUE COPY OF THE NOTICE DATED 13.11.2008 ISSUED BY THE THIRD RESPONDENT.
- EXHIBIT P11 : TRUE COPY OF THE NOTICE DATED 5.3.2009 ISSUED BY THE FIRST RESPONDENT.
- EXHIBIT P12 : TRUE COPY OF THE PETITION DATED 16.3.2009 SUBMITTED TO THE SECOND RESPONDENT.

RESPONDENT(S) EXHIBITS

NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.11471 of 2009

Dated this the 3rd day of June, 2015

J U D G M E N T

The petitioner has filed Ext.P12 objection to Ext.P11 demand notice. The petitioner relies on Exts.P8 and P9 judgments in OP.No.736/2002 and W.P.(C) No.29459/2003. The petitioner asserts that primarily marble cutting was done in the premises in question. Therefore the rate as per LT-IV alone is liable to be paid upto 30.11.2007.

2. The point urged by the petitioner has to be considered by the second respondent only. I direct the second respondent to consider Ext.P12 objection with notice to the petitioner. The needful shall be done within a period of one month from the date of receipt of a copy of this judgment. The status quo as on today shall continue till orders are passed on Ext.P12 objection as directed.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.