

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 6TH DAY OF MARCH 2015/15TH PHALGUNA, 1936

WP(C).No. 7256 of 2015 (F)

PETITIONER:

**ASHIQUE M.M, AGED 47
S/O. MUHAMMED BAVAKHAN
MOIDEENPARAMBIL
ERATTUPETTA VILLAGE AND P.O.
KOTTAYAM DISTRICT.**

**BY ADVS.SRI.JOHNSON MANAYANI
SRI.JEEVAN MATHEW MANAYANI**

RESPONDENTS:

- 1. KERALA STATE ELECTRICITY BOARD
REPRESENTED BY ITS SECRETARY
VYDYUTHI BHAVAN, PATTOM
TRIVANDRUM - 695 004**
- 2. SUPERINTENDING ENGINEER
ELECTRICAL SECTION, ERATTUPETTA PO.
KOTTAYAM - 686 110**
- 3. ASSISTANT ENGINEER, KERALA STATE ELECTRICITY BOARD,
ELECTRICAL SECTION, ERATTUPETTA - 686 110**

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

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

DCS

WP(C).No. 7256 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

P1 : COPY OF THE SITE MAHAZAR AND BILL DATED 08.01.2015

**P2 : COPY OF THE PETITION FILED BY THE PETITIONER CHALLENGING
EXHIBIT P1 DATED 15.1.2015**

**P3 : COPY OF THE FINAL ORDER ISSUED BY THE THIRD RESPONDENT DATED
07.02.2015**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 7256 OF 2015

Dated this the 6th day of March, 2015

JUDGMENT

Ext. P3 final order of assessment is appealable under Section 127 of the Electricity Act, 2003. An appeal lies to the authority constituted pursuant to the decision in **Mohammed Haji v. Kerala State Electricity Board [2014(3) KLT 706]**. Any appeal filed within two weeks from today shall be dealt with by the appellate authority within three months therefrom.

2. The appeal has to be accompanied by the statutory deposit to the tune of one half of the assessed amount. The electricity connection shall not be snapped for a period of two weeks to enable the petitioner to file the appeal with the deposit. This is however subject to the condition that the petitioner dismantles the unauthorised connection. The electricity connection shall not be snapped pending appeal if the same is preferred within two weeks as directed above.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS