

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

MONDAY, THE 9TH DAY OF MARCH 2015/18TH PHALGUNA, 1936

WP(C).No. 7403 of 2015 (A)

PETITIONER:

A.V JOSEPH, MANAGING PARTNER,
MATHA AGRO MILLS, OKKAL, KALADY,
ERNAKULAM DISTRICT, KERALA 683 550.

BY ADVS. SRI. A.A. ZIYAD RAHMAN
SRI. LAL K. JOSEPH
SRI. V.S. SHIRAZ BAVA
SRI. JOSEPH KURIAN VALLAMATTAM

RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD LTD.,
VYDHYUDHIBHAVANM, PATTAM,
THIRUVANANTHAPURAM 695 001
REPRESENTED BY ITS MANAGING DIRECTOR.
2. THE DEPUTY CHIEF ENGINEER
KERALA STATE ELECTRICITY BOARD LTD.,
ELECTRICAL CIRCLE, PERUMBAVOOR 683 031.
3. THE ASSISTANT ENGINEER
KERALA STATE ELECTRICITY BOARD LTD.,
ELECTRICAL SECTION, OKKAL, ERNAKULAM 683 031.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE FINAL ORDER.
- EXHIBIT P2 : TRUE COPY OF THE PENAL INVOICE DATED 26.04.2014.
- EXHIBIT P3 : TRUE COPY OF THE INTERIM ORDER DATED 28.05.2014 IN WP(C) NO. 13406/2014
- EXHIBIT P4 : TRUE COPY OF THE APPLICATION IN THE PRESCRIBED FORMAT.
- EXHIBIT P4(a) : TRUE COPY OF THE COVERIN LETTER ISSUED BY THE PETITIONER DATED 10.06.2014.
- EXHIBIT P5 : TRUE COPY OF THE INDEMNITY BOND DATED 04.10.2014.
- EXHIBIT P5(a) : TRUE COPY OF THE NO OBJECTION CERTIFICATE DATED 04.10.2014.
- EXHIBIT P6 : TRUE COPY OF THE COMMUNICATION BEARING NO. DB/23/14-15/OKKAL/199 DATED 09.02.2015 ISSUED BY THE 3RD RESPONDENT DEMANDING RS.8,03,195/-.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 7403 OF 2015

Dated this the 9th day of March, 2015

JUDGMENT

The amount due under Ext.P1 final order and Ext.P2 penal invoice is not recoverable as of now. This is in view of Ext.P3 interim order in WP(C) No. 13406/2014 pending. There can therefore be no inhibition in law in transferring the connection to the name of the petitioner from that of his father.

2. Electricity connection shall therefore be transferred to the name of the petitioner as sought. It is however clarified that the petitioner will have to bear the liability dependent on the outcome in WP(C) No. 13406/2014. Needless to say that the petitioner is to comply with other statutory formalities required.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd