

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

WP(C).No. 8205 of 2015 (A)

PETITIONER(S):

BIJU P. MATHEW, AGED 47 YEARS
S/O.MATHEW, PEEZHATHUMMOOTTIL HOUSE, KUMILY
IDUKKI DISTRICT-685 509.

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

RESPONDENT(S):

1. KERALA STATE ELECTRICITY BOARD LTD.
VYDYUTHI BHAVANAM, PATTOM, THIRUVANANTHAPURAM
REPRESENTED BY ITS SECRETARY-695 001.
2. THE ASSISTANT EXECUTIVE ENGINEER
(ANTI POWER THEFT SQUAD)
KERALA STATE ELECTRICITY BOARD LTD, KOLLAM.
3. THE ASSISTANT ENIGNEER
KERALA STATE ELECTRICITY BOARD LTD
ELECTRICAL SECTION, KUMILY, IDUKKI DISTRICT-688 101.
4. KERALA STATE ELECTRICITY REGULATORY COMMISSION
VELLAYAMABALAM, THIRUVANANTHAPURAM-695 001
REPRESENTED BY ITS CHAIRMAN.

R BY SRI.JAICE JACOB,SC,KERALA STATE ELECTRICITY BOARD
R BY SRI.S.SUJIN, SC, ELECTRICITY REGULATORY COMMISSION

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1. TRUE COPIES OF THE PROVISIONAL ASSESSMENT ORDERS ALONG WITH
THE CALCULATION STATEMENTS, DATED 19/1/2015.

EXT.P1(A). TRUE COPY OF THE CALCULATION STATEMENTS DATED 19/1/2015.

EXT.P2. TRUE COPY OF THE PROVISIONAL INVOICES DATED 19/1/2015.

EXT.P2(A). TRUE COPY OF THE PENAL INVOICES DATED 19/1/2015.

EXT.P3. TRUE COPY OF THE COMMON OBJECTION DATED 31/1/2015.

EXT.P4. TRUE COPY OF THE FINAL ASSESSMENT ORDER BEARING NO.DB-40/14-
15/230 DATED 16/2/2015.

EXT.P4(A). TRUE COPY OF THE FINAL ASSESSMENT ORDER BEARING NO.DB-40/14-
15-231 DATED 16/2/2015.

EXT.P5. TRUE COPY OF THE ORDER BEARING NO.00189/COM. EX/KSERC/2015/254
DATED 2/3/2015.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.8205 of 2015

Dated this the 20th day of March, 2015

J U D G M E N T

Exts.P4 and P4(a) orders of assessment are obviously not in tune with the law laid down in Jomy Tomas Manjooran v. KSEB Thiruvananthapuram and others [2013 KHC 95]. The same are accordingly quashed directing the third respondent to redo the exercise in the light of the decision aforequoted.

2. The needful shall be done with notice to the petitioner within a period of one month from today. This is however subject to the condition that the petitioner pays a sum of ₹ 28,852/- (Rupees Twenty Eight Thousand Eight Hundred and Fifty two only) towards the dues within a period of two weeks.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.