

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 18TH DAY OF JUNE 2015/28TH JYAISHTA, 1937

WP(C).No. 11184 of 2013 (W)

PETITIONER:

**M/S. TRAVANCORE BUILDERS PVT. LTD.
TRAVANCORE HOUSE, N.H. BYPASS, CHAKKARAPARAMBU
COCHIN-682032
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER
MR.SHERIF MANGALATHU.**

**BY ADVS.SRI.M.S.NARAYANAN
SRI.JJO THOMAS
SRI.ANESH PAUL**

RESPONDENTS:

- 1. THE KERALA STATE ELECTRICITY BOARD
VIDYUTHI BHAVAN, THIRUVANANTHAPURAM, PIN CODE-695001
REPRESENTED BY ITS CHAIRMAN.**
- 2. THE EXECUTIVE ENGINEER
KERALA STATE ELECTRICITY BOARD, ELECTRICAL DIVISION
ERNAKULAM, COCHIN-682018.**
- 3. THE ASSISTANT ENGINEER
ELECTRICAL SECTION, PALARIVATTOM
KERALA STATE ELECTRICITY BOARD, ERNAKULAM
COCHIN-682018.**
- 4. THE KERALA STATE ELECTRICITY REGULATORY COMMISSION
KPFC BHAVAN, C.VRAMAN PILLAI ROAD, VELLAYAMBALAM
THIRUVANANTHAPURAM-695010
REPRESENTED BY ITS CHAIRMAN.**

**R1-R3 BY ADVS. SRI.P.SANTHALINGAM (SR.)
SRI.S.SHARAN, SC, K.S.E.BOARD
SRI.JAICE JACOB,SC,K.S.E.BOARD BOARD
R4 BY ADVS. SRI.S.SUJIN, SC, ELECTRICITY REGULATORY COMMISSION
SRI.ANEESH JAMES,SC,KSEB REGULATORY COMMISSION**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
18-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 11184 of 2013 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1- A TRUE COPY OF RECEIPT NO. 395830 DATED 25-04-2012 ISSUED BY THE 3RD RESPONDENT.

EXHIBIT P2- A TRUE COPY OF THE ORDER NO. EDE/DB/SOP45/12-13/D2080 DATED 11-01-2013 ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P3- A TRUE COPY OF THE ORDER DATED 16-11-2009 IN OP NO. 13 OF 2009 OF THE 4TH RESPONDENT.

EXHIBIT P4- A TRUE COPY OF THE ORDER DATED 19-11-2011 IN WPC NO. 30911 OF 2011 OF THE HON'BLE HIGH COURT OF KERALA.

RESPONDENT(S)' EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). No. 11184 of 2013

Dated this the 18th day of June, 2015

JUDGMENT

The petitioner points out that the demand evidenced by Ext. P2 order is not in consonance with Ext. P3 order of the Kerala State Electricity Regulatory Commission. The respondents contend that they intend to challenge Ext. P3 order appropriately. Ext. P3 order has to be followed unless and until it is reversed in challenge thereto.

2. It is clarified that any demand can only be in tune with Ext. P3 order unless the same is varied or annulled. Whether Ext. P3 order militates against the judgment in W.A. No. 900/2013 and other cases does not fall for consideration in this writ petition.

3. The petitioner has an alternate remedy to challenge Ext. P2 order. The petitioner can approach the Consumer Grievances Redressal Forum under Regulation

130(8) of the Kerala Electricity Supply Code, 2014. Any motion in that regard within three weeks from today shall be dealt with expeditiously. The electricity connection if granted shall not be disconnected pending final orders by the Consumer Grievances Redressal Forum.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS