

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

WEDNESDAY, THE 25TH DAY OF MARCH 2015/4TH CHAITHRA, 1937

WP(C).No. 9514 of 2015 (L)

PETITIONERS:

1. EDHO MANI MATHEW, AGED 39 YEARS,
S/O. POULOSE, ZOOM Matic CABLE TV NETWORK,
ANGAMALI, ERNAKULAM DISTRICT.
2. PAUL VARGHESE, S/O. VARGHESE
CHAKKIATH CABLE NETWORK,
RAILWAY STATION JUNCTION,
KARUKUTTY, ERNAKULAM.
3. SAI SURAJ B NAIR, ESS AND ESS CABLE TV NETWORK
KOTHAKULANGARA, ERNAKULAM DISTRICT.

BY ADVS. SRI. RENJITH THAMPAN (SR.)
SMT. P. R. REENA

RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD LIMITED,
REP. BY ITS SECRETARY, VAIDYUTHI BHAVAN,
THIRUVANANTHAPURAM PIN - 695 004.
2. THE EXECUTIVE ENGINEER,
ELECTRICAL DIVISION OFFICE,
KSEB PERUMBAVOOR
ERNAKULAM DISTRICT PIN 683 542.
3. CHIEF ENGINEER,
ELECTRICAL CIRCLE OFFICE,
VYTTILA, ERNAKULAM PIN 682 019.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE AGREEMENT EXECUTED BY THE 2ND PETITIONER WITH THE ELECTRICITY BOARD DATED 08.04.2009.
- EXHIBIT P2 : TRUE COPY OF THE LETTERS RECEIVED FROM THE 2ND RESPONDENT TO 1ST PETITIONER.
- EXHIBIT P2(a) : TRUE COPY OF THE LETTERS RECEIVED FROM THE 2ND RESPONDENT TO 2ND PETITIONER.
- EXHIBIT P3 : TRUE COPY OF THE ORDER OF THE KERALA STATE ELECTRICITY BOARD DATED 31.12.2014.
- EXHIBIT P4 : TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONERS BEFORE THE 3RD RESPONDENT DATED 19.03.2015.
- EXHIBIT P5 : TRUE COPY OF THE ORDER OF THE KERALA STATE ELECTRICITY BOARD DATED 25.02.2012.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 9514 OF 2015

Dated this the 25th day of March, 2015

JUDGMENT

The petitioners challenge the hike in pole rental charges with retrospective effect. Clause 9 of Ext.P1 agreement provides for resolution of the dispute by the third respondent. The petitioners have submitted Ext.P4 representation to the third respondent in this regard.

2. I direct the third respondent to consider Ext.P4 representation with notice to the petitioners. The needful shall be done within a period of one month from the date of production of a copy of this judgment. The coercive steps as against the petitioners shall be put on hold in the meanwhile. This is subject to the condition that the petitioners clear the pole rental arrears on the pre-revised rate immediately.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**