

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937

WP(C).No. 10433 of 2015 (D)

PETITIONER:

**T. M. SALEEM
JASMINE, THEERVEEDU ROAD
BEACH P.O., CALICUT - 673 032**

**BY ADVS.SRI.V.V.ASOKAN (SR.)
SRI.P.RAHUL
SRI.M.AYUB KHAN**

RESPONDENTS:

- 1. THE ASSISTANT ENGINEER
ELECTRICAL SECTION KSEB BEACH
KOZHIKODE - 673 001**
 - 2. ASSISTANT EXECUTIVE ENGINEER
ELECTRICAL SUB DIVISION
KSEB, NADAKKAVU
KOZHIKODE - 673 011**
 - 3. MOHAMMED SALI
THE ASSISTANT ENGINEER
ELECTRICAL SECTION KSEB BEACH
KOZHIKODE - 673 001**
 - 4. CONSUMER GRIEVANCES REDRESSAL FORUM
KERALA STATE ELECTRICITY BOARD
NORTHERN REGION, GANDHI ROAD
KOZHIKODE - 673 032
REPRESENTED BY DEPUTY CHIEF ENGINEER**
- R1 & R2 BY ADV.SRI.SAJEEVKUMAR K.GOPAL, SC, KSEB
BY SRI.JAICE JACOB, SC, KERALA STATE ELECTRICITY BOARD**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 31-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COPY OF THE ENERGY BILL IN RESPECT OF CONSUMER NO. 13846**
- P1(a) : COPY OF THE RECEIPT EVIDENCING THE REMITTANCE OF ENERGY CHARGES AGAINST EXT. P1 BILL**
- P2 : COPY OF THE ENERGY BILL IN RESPECT OF CONSUMER NO. 17018**
- P2(a) : COPY OF THE RECEIPT EVIDENCING REMITTANCE OF ENERGY CHARGES AGAINST EXT. P2 BILL**
- P3 : COPY OF THE ENERGY BILL IN RESPECT OF CONSUMER NO. 17019**
- P3(a) : COPY OF THE RECEIPT EVIDENCING REMITTANCE OF ENERGY CHARGES AGAINST EXT. P3 BILL**
- P4 : PHOTOGRAPHS OF THE PREMISES**
- P4(a): PHOTOGRAPHS OF THE PREMISES**
- P5: COPY OF THE ORDER OF THE 4TH RESPONDENT IN O.P. 73/2014-15**
- P6: COPY OF THE NOTICE ISSUED BY THE 1ST RESPONDENT PROPOSING DISCONNECTION OF CONSUMER NOS. 13846, 17018, 17019**
- P7: COPY OF THE REPLY GIVEN BY THE PETITIONER TO THE 1ST RESPONDENT**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 10433 OF 2015

Dated this the 31st day of March, 2015

JUDGMENT

Ext. P6 notice of disconnection has been issued on the basis of Ext. P5 order of the Consumer Grievance Redressal Forum. The allegation against the petitioner is that he is enjoying three different electricity connections to a single premises wherein industrial activity is done. The petitioner has earlier damaged an electricity post which prompted him to move the Consumer Grievance Redressal Forum which passed Ext. P5 order. It is stated therein as follows:-

“The respondents have committed that there is more than one connection in the same premises for the same purpose, which contravenes regulation 52 of Supply Code, 2014. Above all, these connections are emanating from feeders from two difference substations, which is highly against the principles of safety. Due to this supply arrangement, while a shut down work is being taken up in one station, back feeding can occur from the other feeder from the other station, leading to equipment damage and certain human fatality. This highly objectionable and

shall be corrected by the licensee immediately, after ensuring all necessary formalities and procedures as per existing rules.”

2. The workers engaged in the industrial activity would be put to peril if three independent electricity connections are simultaneously enjoyed for one and the same premises. Whether the premises are totally independent and not interconnected is a matter for factual adjudication.

3. The petitioner is free to object to Ext. P6 notice which has been done by Ext. P7 explanation. The second respondent shall consider Ext. P7 explanation filed to Ext. P6 notice and take the proceedings to a logical end. Needless to say that the petitioner will be put on notice and heard in the exercise before final orders are passed within a period of one month.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS