

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

WP(C).No. 11093 of 2015 (J)

PETITIONER:

P.G. UNNIKRISHNAN, AGED 43 YEARS,
S/O. GOPALAKRISHNAN, M C V PLUS
CABLE TV NETWORK, GURUTHIPALA,
KAROOR, THRISSUR 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, IRINJALAKUDA,
THRISSUR DISTRICT PIN 680 121.
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 06-04-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE AGREEMENT EXECUTED BY THE PETITIONER WITH THE ELECTRICITY BOARD DATED 31.12.2013.
- EXHIBIT P2 : TRUE COPY OF THE TABLE OF POLE MAINTENANCE CHARGES DEMANDED BY THE 2ND RESPONDENT.
- 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 PETITIONER 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. 11093 OF 2015

Dated this the 6th day of April, 2015

JUDGMENT

The hike in poll rental charges with retrospective effect is impugned. The same requires to be resolved by the third respondent by arbitration. That is the remedy provided by virtue of the terms of the agreement entered into by the petitioner.

2. Ext.P4 representation filed by the petitioner is pending with the third respondent. I direct the third respondent to consider Ext.P4 representation with notice to the petitioner. The needful shall be done within a period of one month from the date receipt of copy of this judgment.

3. The coercive steps as against the petitioner shall be put on hold in the meanwhile. This is subject to the condition that the petitioner clears the pre revised poll rental charges in time.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**