

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 13TH DAY OF JULY 2015/22ND ASHADHA, 1937

WP(C).No. 22494 of 2005 (C)  
-----

PETITIONER(S):  
-----

C.L. CHARLEY, S/O. LONAPPAN,  
PROPRIETOR, M/S. CHEMMANNUR PLASTICS, TIRUR  
P.O. MULAMKUNNATHUKAVU, THRISSUR DIST.

BY ADVS.SRI.K.RAMAKUMAR (SR.)  
SRI.T.RAMPRASAD UNNI

RESPONDENT(S):  
-----

1. THE KERALA STATE ELECTRICITY BOARD,  
VYDHYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM  
REPRESENTED BY ITS SECRETARY.
2. SRI. KRISHNAKUMAR,  
ASSISTANT ENGINEER, ELECTRICAL SECTION  
KERALA STATE ELECTRICITY BOARD, MULAMKUNNATHUKAVU  
THRISSUR DIST.

R,R1 BY ADV. SRI.JOSE J.MATHEIKEL, SC, KSEB  
R, BY ADV. SRI.T.R.RAJAN,SC,K.S.E.B.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
13-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) NO.22494 OF 2005

PETITIONER'S EXTS:

- |         |                                                                                                   |
|---------|---------------------------------------------------------------------------------------------------|
| EXT.P1  | TRUE COPY OF THE COMPLAINT SUBMITTED BY R1 TO THE SI OF POLICE, VIYYOR.                           |
| EXT.P2  | TRUE COPY OF THE DEMAND NOTICE DATED 12.5.2005 ISSUED BY THE KSEB.                                |
| EXT.P3  | TRUE COPY OF THE ORDER DATED 19.5.2005 PASSED BY THE DISTRICT CONSUMER REDRESSAL FORUM, THRISSUR. |
| EXT.P4  | TRUE COPY OF THE ORDER DATED 26.5.2005 PASSED BY THE KERALA STATE CONSUMER REDRESSAL FORUM.       |
| EXT.P5  | TRUE COPY OF THE ORDER DATED 7.6.2005 PASSED BY THE DISTRICT CONSUMER REDRESSAL FORUM, THRISSUR.  |
| EXT.P6  | TRUE COPY OF THE ORDER DATED 13.7.2005 PASSED BY THE DISTRICT CONSUMER REDRESSAL FORUM, THRISSUR. |
| EXT.P7  | TRUE COPY OF THE ORDER DATED 18.7.2005 PASSED BY THE STATE CONSUMER REDRESSAL FORUM.              |
| EXT.P8  | TRUE COPY OF THE BILL DATED 11.5.2005 PAID BY THE PETITIONER.                                     |
| EXT.P9  | TRUE COPY OF THE BILL DATED 13.6.2005 PAID BY THE PETITIONER.                                     |
| EXT.P10 | TRUE COPY OF THE BILL DATED 12.7.2005 PAID BY THE PETITIONER.                                     |
| EXT.P11 | TRUE COPY OF PETITION SUBMITTED BY THE PETITIONER BEFORE THE CONSUMER REDRESSAL FORUM, THRISSUR.  |

*//TRUE COPY//*

*P.S. TO JUDGE.*

V.CHITAMBARESH, J.

-----  
W.P (C) No.22494 of 2005  
-----

Dated this the 13<sup>th</sup> day of July, 2015

J U D G M E N T

Ext.P2 final bill issued in terms of Section 126 of the Electricity Act, 2003 is impugned. Now that the appellate authority has been constituted pursuant to the decision in Muhammed Haji v. Kerala State Electricity Board [2014 (3) KLT 706].

2. The petitioner is given liberty to file an appeal against Ext.P2 bill in terms of Section 127 of the Electricity Act, 2003. Any appeal filed within one month from today shall be dealt with within two months therefrom. It is reported that the petitioner has deposited a sum of ₹ 3,00,000/- pursuant to the interim orders in this writ petition. The said amount shall be given credit to while quantifying the statutory deposit in terms of Section 127(3) of the Electricity Act, 2003.

The writ Petition is disposed of.

Sd/-  
V.CHITAMBARESH,  
Judge.

nj.