

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 17TH DAY OF APRIL 2015/27TH CHAITHRA, 1937

WP(C).No. 12602 of 2015 (A)

PETITIONER:

M/S.SOUTHERN INVESTMENTS PVT.LTD.,
HHYS BUILDING, 1ST FLOOR, RAJAJI ROAD,
KOCHI - 682 018 REP. BY ITS DEPUTY
GENERAL MANAGER MRS.CRESSY SURESH.

BY ADVS.SRI.BECHU KURIAN THOMAS
SRI.RONY JOSE

RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD,
VAIDHYUDI BHAVAN,
THIRUVANANTHAPURAM - 695 001
REP. BY ITS SECRETARY.
2. EXECUTIVE ENGINEER, ELECTRICAL DIVISION,
KSEB, THIRUVANANTHAPURAM.
3. ASSISTANT ENGINEER, ELECTRICAL SECTION,
KSEB, PEROORKADA, THIRUVANANTHAPURAM.

BY SRI.JAICE JACOB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
17-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WPC 12602/2015

PETITIONER'S EXHIBITS:

EXT. P1 TRUE COPY OF THE PROVISIONAL ASSESSMENT BILL DATED 15.7.20913 ISSUED BY THE SENIOR SUPERINTENDENT OF THE THIRD RESPONDENT'S OFFICE

EXT. P2 TRUE COPY OF THE ORDER DATED 26.9.2013 ISSUED BY THE THIRD RESPONDENT

EXT. P3 TRUE COPY OF THE PROVISIONAL ASSESSMENT BILL DATED 26.9.2013 ISSUED BY THE THIRD RESPONDENT

EXT. P4 TRUE COPY OF THE OBJECTION DATED 3.10.2013 SUBMITTED BY THE PETITIONER BEFORE THE THIRD RESPONDENT'S

EXT. P5 TRUE COPY OF THE ORDER DATED 4.11.2013 ISSUED BY THE THIRD RESPONDENT

EXT. P6 TRUE COPY OF THE LETTER DATED 8.11.2013 ISSUED BY THE PETITIONER TO THE THIRD RESPONDENT

EXT. P7 TRUE COPY OF THE ORDER DATED 22.3.2014 IN OP 1083/2013 ON THE FILE OF THE CONSUMER GRIEVANCES REDRESSAL FORUM (SOUTH), KOTTARAKKARA

EXT. P8 TRUE COPY OF THE ORDER DATED 13.3.2015 IN APPEAL PETITION NO.P/031/2014 ON THE FILE OF THE ELECTRICITY OMBUDSMAN

EXT. P9 TRUE COPY OF THE DISCONNECTION NOTICE DATED 28.3.2015 ISSUED BY THE THIRD RESPONDENT TO THE PETITIONER

RESPONDENT'S EXHIBITS: NIL.

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.12602 of 2015 A

Dated this the 17th day of April, 2015

JUDGMENT

The learned counsel for the petitioner submits that the petitioner is willing to file a statutory appeal. He has, however, urged this Court to issue a direction to the respondent Electricity Board not to disconnect the power supply before the petitioner could lay a proper challenge before the appellate authority.

Recording the said submission, this Court disposes of the writ petition leaving it open for the petitioner to file a statutory appeal against Exhibit P9. It meets the ends of justice if a direction is given to the respondent Electricity Board not to take any coercive steps pursuant to Exhibit P9 for thirty days, so that the petitioner could avail itself of the alternative remedy of statutory appeal.

Dama Seshadri Naidu, Judge

tkv