

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYAISHTA, 1937

WP(C).No. 12907 of 2015 (K)

PETITIONER:

**MOHAMED JAMAL M.A. AGED 70 YEARS
S/O.MOHAMED RAHEEM SAHIB, SECRETARY
WAYANAD MUSLIM ORPHANAGE, MANAD P.O.MUTTIL, KALPETTA
WAYANAD DIST - 673 122.**

**BY ADVS.SRI.K.A.MOHAMED HARIS
SRI.V.R.REKESH**

RESPONDENTS:

- 1. KERALA STATE ELECTRICITY BOARD LIMITED
VYDHUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM - 695 004.**
- 2. THE ASSISTANT ENGINEER
ELECTRICAL SECTION, KSEB, MUTTIL
KALPETTA, WAYANAD, PIN CODE - 673 122.**
- 3. THE ASSISTANT EXECUTIVE ENGINEER
ELECTRICAL SUB DIVISION, KSEB, KALPETTA WAYANAD
PIN CODE - 673 122.**
- 4. THE DEPUTY CHIEF ENGINEER
ELECTRICAL CIRCLE, KSEB, KALPETTA WAYANAD
PIN CODE - 673 122.**
- 5. THE CHIEF ENGINEER
KSEB, VYDHYUTHI BHAVAN, PATTOM
THIRUVANANTHAPURAM - 695 004.**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P-1: TRUE COPY OF THE SITE MAHAZAR PREPARED BY THE ASSISTANT ENGINEER, MUTTIL ELECTRICAL SECTION DATED 7.1.2015**
- EXT.P-2: TRUE COPY OF THE PROVISIONAL ASSESSMENT LETTER ISSUED BY THE ASSISTANT ENGINEER, MUTTIL ELECTRICAL SECTION DATED 14.1.2015**
- EXT.P-2(a): TRUE COPY OF THE PROVISIONAL ASSESSMENT INVOICE DATED 14.1.2015**
- EXT.P-3: TRUE COPY OF THE OBJECTION DATED 28TH JANUARY 2015 FILED BEFORE THE ASSISTANT ENGINEER, ELECTRICAL SECTION, MUTTIL**
- EXT.P-4: TRUE COPY OF THE FINAL ORDER OF ASSESSMENT ISSUED BY THE ASSISTANT ENGINEER, E.S. MUTTIL DATED 25.3.2015**
- EXT.P-4(A): TRUE COPY OF THE FINAL ASSESSMENT INVOICE ISSUED BY THE ASSISTANT ENGINEER ELECTRICAL SECTION, MUTTIL.**
- EXT.P-5: TRUE COPY OF THE RELEVANT PAGES OF THE ELECTRICITY SUPPLY CODE 2014**
- EXT.P-6: A TRUE COPY OF THE REGISTRATION CERTIFICATE**
- EXT.P-7: TRUE COPIES OF THE ELECTRICITY BILLS ISSUED TO THE PETITIONER IN VARIOUS CONSUMER NOS FROM THE KALPETTA ELECTRIC SECTION IN 2007**
- EXT.P-7(a): TRUE COPY OF THE RECEIPT SHOWING PAYMENT OF RS.4,12,270/- ISSUED BY KSEB, KALPETTA SECTION & THE PROCEEDINGS DATED 6.5.2008**
- EXT.P-8: TRUE COPIES OF THE ELECTRICITY BILLS ISSUED TO THE PETITIONER IN CONSUMER NOS.8299 AND 8301 FROM THE MUTTIL ELECTRICAL SECTION.**
- EXT.P-9: TRUE COPIES OF THE TAX INVOICE ISSUED BY BHARATI ELECTRICAL APPLIANCES SHOWING PURCHASE OF THE LAUNDRY EQUIPMENTS DATED 20.10.2014**
- EXT.P-9(a): TRUE COPIES OF THE DELIVERY NOTES DATED 28.12.2014**

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**EXT.P-9(b): TRUE COPIES OF THE INSTALLATION AND TEST CERTIFICATE
DATED 7.1.2015**

**EXT.P-10: TRUE COPY OF THE RELEVANT PAGES OF THE JUDGEMENT
(TAKEN FROM THE WEBSITE) OF THIS HONOURABLE COURT IN
N.K.SAJITH KUMAR VS. THE KERALA STATE
ELECTRICITY BOARD IN WPC NO.28053 OF 2011 (DATED 17TH DAY
OF OCTOBER, 2012)**

**EXT.P-11: TRUE COPY OF THE RELEVANT PAGES OF THE JUDGEMENT
(TAKEN FROM THE WEBSITE) OF THIS HONOURABLE COURT IN
MARIA PALANA SOCIETY VS. KERALA STATE ELECTRICITY
BOARD IN WANO.1149 OF 2009 (DECIDED ON 3RD APRIL, 2013).**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V.CHITAMBARESH,J.

W.P.(C) No. 12907 of 2015

Dated this the 22nd day of May, 2015

J U D G M E N T

Ext. P4 order accompanied by Ext. P4(a) invoice are under challenge in this writ petition. The same are issued under Section 126 of the Electricity Act, 2003. The petitioner has already filed an appeal therefrom under Section 127 of the Electricity Act, 2003. The petitioner is free to seek appropriate interim orders in the appeal so filed.

2. The petitioner relies on Exts. P10 and P11 judgment in support of his cause. The said judgment can very well be relied on at the time of hearing the statutory appeal. Every endeavour shall be made to dispose of the statutory appeal (if properly filed) within a period of three months.

The writ petition is disposed of.

**V.CHITAMBARESH
JUDGE**

DCS