

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 28TH DAY OF MAY 2015/7TH JYAISHTA, 1937

WP(C).No. 15827 of 2015 (C)

PETITIONER(S)/PETITIONER:

ANEESH.M.A, AGED 31 YEARS
S/O AUGUSTINE
SET CHANNEL CABLE TV NETWORK & LG VISION CABLE TV NETWORK
KURUMBATHURUTH, THURUTHIPURAM, ERNAKULAM DISTRICT.

BY ADVS.SRI.RENJITH THAMPAN (SR.)
SMT.P.R.REENA

RESPONDENT(S)/RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD LIMITED,
REPRESENTED BY ITS SECRETARY, VAIDYUTHI BHAVAN
THIRUVANANTHAPURAM, PIN-695004.
2. THE EXECUTIVE ENGINEER,
ELECTRICAL DIVISION OFFICE, K.S.E.B, CHALAKUDY
THRISSUR DISTRICT, PIN-680 371.
3. CHIEF ENGINEER,
ELECTRICAL CIRCLE OFFICE, VYTTILA, ERNAKULAM-682019.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
28-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 TRUE COPY OF THE AGREEMENT EXECUTED BY THE PETITIONER WITH THE
ELECTRICITY BOARD DATED 31.10.2008

EXT.P2 TRUE COPY OF THE LETTER DATED 07.02.2015 RECEIVED FROM THE 2ND
RESPONDENT TO THE PETITIONER NO.EDC-DB-49/CTV/14-15/1501

EXT.P2(A) TRUE COPY OF THE LETTER DATED 07.02.2015 RECEIVED FROM THE 2ND
RESPONDENT TO THE PETITIONER NO.EDC-DB-49/CTV/14-15/1502

EXT.P3 TRUE COPY OF THE ORDER OF THE KERALA STATE ELECTRICITY BOARD
DATED 31.12.2014

EXT.P4 TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE
THE 3RD RESPONDENT DATED 10.05.2015

EXT.P5 TRUE COPY OF THE JUDGMENT IN WP(C)3320/2015 DATED 03.02.2015

EXT.P6 TRUE COPY OF THE ORDER OF THE KERALA STATE ELECTRICITY BOARD
DATED 25.02.2012.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.15827 of 2015

Dated this the 28th day of May, 2015

J U D G M E N T

The retrospective hike in pole rental is impugned by the petitioner. Clause 9 of Ext.P1 agreement provides for resolution of the dispute by the fourth respondent Chief Engineer. The petitioner has in this regard submitted Ext.P4 representation with the third respondent.

2. I direct the concerned Chief Engineer to consider Ext.P4 representation with notice to the petitioner. The needful shall be done within a period of one month from the date of receipt of a copy of this judgment.

3. The coercive steps as against the petitioner shall be put on hold in the meanwhile. This is however subject to the condition that the arrears on the basis of pre-revised rate are cleared.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.