

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE B.P.RAY

FRIDAY, THE 30TH DAY OF NOVEMBER 2012/9TH AGRAHAYANA 1934

WP(C).No. 19894 of 2008 (R)

PETITIONER:

THE MANAGING PARTNER, G.K.RUBBER
INDUSTRIES, INDUSTRIAL ESTATE, PAPPANAMCODE,
THIRUVANANTHAPURAM.

BY ADVS.SRI.M.R.ANANDAKUTTAN
SMT.M.HEMALATHA
SRI.R.S.MADHU
SRI.MAHESH ANANDAKUTTAN

RESPONDENT(S) :

1. THE ASSISTANT EXECUTIVE ENGINEER,
KSEB, POOJAPPURA, THIRUVANANTHAPURAM.
2. THE DEPUTY CHIEF ENGINEER,
ELECTRICAL CIRCLE (U) , POWER HOUSE BUILDING,
THIRUVANANTHAPURAM.

R1 & R2 BY ADV. SRI.P.P.THAJUDEEN, SC, K.S.E.B
R1-R2 BY ADV. SRI.SAJEEVKUMAR K.GOPAL,SC,KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-11-2012, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

AS

WP(C) .No. 19894 of 2008

JUDGMENT

None appears. Dismissed for non-prosecution.

B. P. RAY
JUDGE

30/11/2012

AS

V. CHITAMBARESH, J

W.P.(C). NO. 19894 & 35226 OF 2008

Dated this the 9th day of July, 2015

JUDGMENT

Both the original authority as well as the appellate authority have concurrently found that the electricity meter was tampered with. It was uniformly found that that Y-phase voltage wire tapped to the energy meter was found detached. The petitioner contends that such detachment could have been due to the burning by overload. It is not possible to come to a different conclusion in a writ petition of this nature.

2. Personnel having expertise have found that there is a deliberate tampering. The appellate authority has granted a relief to the petitioner by scaling down the quantum of penalty. I do not find any vitiating circumstances to annul the proceedings at this stage. I however grant the petitioner a facility to pay the amount due in four instalments.

3. The instalments shall be paid on or before the last day in the months of July, August, September and October. The payments already made by the petitioner shall ofcourse be given credit to. The coercive steps can be put on hold if the instalments are paid within the time stipulated. The coercive steps can be continued if any one instalment is defaulted.

The writ petitions are disposed of.

**V. CHITAMBARESH
JUDGE**

DCS