

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

FRIDAY, THE 3RD DAY OF JULY 2015/12TH ASHADHA, 1937

WP(C).No. 19980 of 2015 (V)

PETITIONER:

M/S. QUALITY RE-ROLLING MILLS
(PREVIOUSLY KNOWN AS M/S. PVH RE-ROLLING MILLS)
DOOR NO. 13/130A, ANAKUZHICKARA, KUTTIKATTOOR P.O.,
KOZHIKODE - 673 008, REPRESENTED BY THE
MANAGING PARTNER MR. P.K. AFSAL.

BY ADV. SRI.N.JAMES KOSHY

RESPONDENTS:

1. THE SPECIAL OFFICER (REVENUE),
KERALA STATE ELECTRICITY BOARD LTD.,
VAIDYUTHI BHAVANAM, PATTOM,
THIRUVANANTHAPURAM - 695 004.
2. THE DEPUTY CHIEF ENGINEER,
KERALA STATE ELECTRICITY BOARD LTD.,
ELECTRICAL CIRCLE, KOZHIKODE.
3. KERALA STATE ELECTRICITY BOARD LTD.,
VAIDYUTHI BHAVANAM, PATTOM,
THIRUVANANTHAPURAM - 695 004
REPRESENTED BY ITS CHAIRMAN.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE DEED OF RECONSTITUTED PARTNERSHIP DATED 01.04.2014 EXECUTED BETWEEN FOUR PARTNERS OF PETITIONER FIRM WITH IMBICHIPATHUMMA.
- EXHIBIT P2 : TRUE COPY OF THE COMMUNICATION DATED 07.07.2011 SENT BY THE PETITIONER TO THE ASSISTANT ENGINEER, ELECTRICAL MAJOR SECTION, KOVOOR I, KOZHIKODE.
- EXHIBIT P3 : TRUE COPY OF THE COMMUNICATION DATED 07.08.2014 SENT BY THE PETITIONER TO THE 2ND RESPONDENT.
- EXHIBIT P4 : TRUE COPY OF THE COMMUNICATION DATED 21.11.2009 SENT TO ELECTRICAL INSPECTOR, CIVIL STATION, KOZHIKODE BY THE PETITIONER.
- EXHIBIT P5 : TRUE COPY OF THE DEMAND NOTICE DATED 04.05.2015 AND THE ACCOUNT STATEMENT ISSUED BY THE STATE BANK OF TRAVANCORE TO THE PETITIONER.
- EXHIBIT P6 : TRUE COPY OF THE DEMAND NOTICE DATED 03.06.2015 AND STATEMENT OF ACCOUNT ISSUED BY THE STATE BANK OF TRAVANCORE TO THE PETITIONER.
- EXHIBIT P7 : TRUE COPY OF THE NOTICE NO. SOR/AMU/HTB10/3555/PVH RE-ROLLING MILLS/2015-16 DATED 19.06.2015 ISSUED BY THE 1ST RESPONDENT TO PETITIONER.
- EXHIBIT P8 : TRUE COPY OF THE REPLY DATED 29.06.2015 SENT BY PETITIONER TO 1ST RESPONDENT.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 19980 OF 2015

Dated this the 3rd day of July, 2015

JUDGMENT

The complaint is that the consumer (HTB 10/3555) is being proceeded against for the dues of another consumer (HTB 31/3315). The contention is that both the consumers are different legal entitees. The Electricity Board points out that there is unity of partnership. Whether there is nexus between both the consumers is a matter for deeper probe.

2. The petitioner has filed Ext.P8 reply to Ext.P7 notice threatening disconnection. It is only proper that Ext.P8 reply is considered with notice to the petitioners. The other consumer (HTB 31/3315) who has kept the dues shall also be put on notice. The partners of both the consumers can be served notice by affixture even.

3. Final orders shall be passed within a period of six weeks. The electricity supply to the consumer (HTB 10/3555) shall not be snapped in the meanwhile.

The Writ Petition is disposed of. No costs.

**V. CHITAMBARESH
JUDGE**