

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. 24020 of 2010 (B)

PETITIONER:

- 1. V.GOPALAKRISHNAN, AGED 62 YEARS,
S/O.LATE P.VASU, 'VASANT', MANIKKIRI ROAD
ERNAKULAM, KOCHI-16.**
- 2. V.JAYARAJAN, AGED 54 YEARS,
BUSINESS S/O. LATE P.VASU, 'VASANT', MANIKKIRI ROAD
ERNAKULAM, KOCHI-16.**

BY ADV. SRI.T.K.PANKAJASHAN PILLAI

RESPONDENTS:

- 1. THE KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY THE SECRETARY, K.S.E.B.
THIRUVANANTHAPURAM.**
- 2. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL MAJOR SECTION, COLLEGE SECTION, ERNAKULAM
KOCHI-11.**
- 3. THE DEPUTY CHEIF ELECTRICAL INSPECTOR,
K.S.E.B., ERNAKULAM.**
- 4. THE ASSISTANT ENGINEER,
ELECTRICAL MAJOR SECTION, COLLEGE SECTION, ERNAKULAM
KOCHI-11.**
- 5. THE EXECUTIVE ENGINEER,
MAJOR SECTION, K.S.E.B.COLLEGE SECTION, ERNAKULAM
KOCHI-11.**

**R1 TO R5 BY SMT.P.K.RADHIKA, SC, KSEB
SRI.P.P.THAJUDEEN, SC, K.S.E.B**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
28-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT. P1: A TRUE COPY OF TEST REPORT OF METER BY THE 3RD RESPONDENT DATED 18.11.1997**
- EXT. P2: A TRUE COPY OF THE JUDGMENT DATED 30.11.1998 OF THE MUNSIFF'S COURT ERNAKULAM IN O.S. NO. 790/1997**
- EXT. P3: A TRUE COPY OF THE COMMISSION REPORT ON 8.12.2003 IN O.S. NO. 1706/2003 OF THE MUNSIFF COURT ERNAKULAM**
- EXT. P4(a): TRUE COPY OF THAT JUDGMENT IN W.P.(C). NO. 7734/2006 (O) DATED 17TH JULY 2007**
- EXT. P4(b): TRUE COPY OF THE INTERIM ORDER DATED 15.03.2006 IN EXT. P4**
- EXT. P4(c): TRUE COPY OF THE LETTER DATED 22.3.2008 ISSUED BY 4TH RESPONDENT TO THE PETITIONER**
- EXT. P5(a): TRUE COPY OF THE RECEIPTS DATED 24.3.2006 ISSUED BY THE 2ND RESPONDENT**
- EXT. P5(b): TRUE COPY OF THE RECEIPTS DATED 11.5.2006 ISSUED BY THE 2ND RESPONDENT**
- EXT. P5(c): TRUE COPY OF THE RECEIPT DATED 10.7.2006 ISSUED BY THE 2ND RESPONDENT**
- EXT. P5(d): TRUE COPY OF THE RECEIPTS DATED 16.11.2007 ISSUED BY THE 2ND RESPONDENT**
- EXT. P5(e): TRUE COPY OF THE RECEIPTS DATED 11.3.2008 ISSUED BY THE 2ND RESPONDENT**
- EXT. P6: TRUE COPY OF THE ORDER DATED 28.2.2008 OF THE THIRD RESPONDENT**
- EXT. P7(a) TRUE COPY OF THE DEMAND NOTICE DATED 24.4.2008 BY SENIOR SUPERINTENDENT OF FOURTH RESPONDENT**
- EXT. P7(b) TRUE COPY OF THE COMPLAINT BY THE PETITIONER TO 4TH RESPONDENT**
- EXT. P7(c) TRUE COPY OF THE ELECTRICITY BILL DATED 03.03.2008 FOR RS. 42,584/-**

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- EXT. P7(d) TRUE COPY OF THE ELECTRICITY BILL DATED 05.05.2008 FOR RS. 49,063/-**
- EXT. P7(e) TRUE COPY OF THE APPEAL TO 2ND, 4TH & 5TH RESPONDENTS DATED 7.5.2008**
- EXT. P8(a) A TRUE COPY OF THE THREE BILLS DATED 4.5.2010 FOR RS. 74,188**
- EXT. P8(b) A TRUE COPY OF THE THREE BILLS DATED, 3.7.2010 FOR RS. 75,994/-**
- EXT. P9 COPY OF THAT NOTICE DATED 26.7.2010 ISSUED BY THE 4TH RESPONDENT**

RESPONDENT'S EXHIBITS:-NIL

/TRUE COPY/

P.A TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 24020 OF 2010

Dated this the 28th day of May, 2015

JUDGMENT

There is no allegation of unauthorised use of electricity under Section 126 of the Electricity Act, 2003 in the instant case. The complaint projected is one of error of billing probably on account of a faulty meter. These are matters to be agitated before the Consumer Grievance Redressal Forum. The Kerala State Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations is clear enough.

2. Any motion made within one month from today shall be dealt with by the Forum within two months therefrom. The interim order passed in this writ petition will continue for a period of three months from today.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS