

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 9TH DAY OF JULY 2015/18TH ASHADHA, 1937

WP(C).No. 20731 of 2015 (N)

PETITIONER:

**SALIMSHA O.K
KOKKATTUTHARAYIL
PALLIPPADU, THRIKKUNNAPUZHA P.O.
ALAPPUZHA - 690 515**

**BY ADVS.SRI.SHABU SREEDHARAN
SRI.S.VIJAYAN
SRI.K.P.UNNIKRISHNAN (ELOOR)
SRI.V.N.MOHAN RAJ
SRI.K.V.PREMSANKAR
SMT.RESHMA ABDUL RASHEED**

RESPONDENTS:

- 1. THE KERALA STATE ELECTRICITY BOARD
REPRESENTED BY THE SECRETARY
VYDYUTHI BHAVAN, PATTOM
THIRUVANANTHAPURAM - 695 004**
- 2. THE ASST. ENGINEER
ELECTRICAL SECTION,
HARIPPAD, ALAPPUZHA - 690 514**
- 3. THE SUB ENGINEER, ELECTRICAL SECTION
HARIPPAD, ALAPPUZHA - 690 514**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: TRUE COPY OF THE SITE MAHAZAR DATED 21.05.2015**
- EXT.P2: TRUE COPY OF THE PROVISIONAL PENAL BILL DATED 23.05.2015**
- EXT. P3: TRUE COPY OF THE PROVISIONAL ASSESSMENT BILL DATED
27.05.2015**
- EXT.P4: TRUE COPY OF THE OBJECTION DATED 01.06.2015**
- EXT.P5: TRUE COPY OF THE NOTICE DATED 20.06.2015**
- EXT.P6: TRUE COPY OF THE ASSESSMENT ORDER ALONG WITH THE
FINAL BILL AND CALCULATION STATEMENT DATED 29.06.2015**

RESPONDENT(S)' EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 20731 OF 2015

Dated this the 9th day of July, 2015

JUDGMENT

Ext. P6 order of assessment accompanied by final bill is impugned. The same can very well be challenged in a statutory appeal. An appeal lies under Section 127 of the Electricity Act, 2003.

2. The petitioner contends that mandatory procedures have not been followed. The same is a disputed question of fact. Only the appellate authority can delve deep into those aspects.

I dismiss the writ petition without prejudice to the right of the petitioner to file an appeal.

**V. CHITAMBARESH
JUDGE**

DCS