

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

FRIDAY, THE 17TH DAY OF JULY 2015/26TH ASHADHA, 1937

WP(C).No. 21639 of 2015 (D)

PETITIONER:

**MANAGER,
DON BOSCO COLLEGE,
ANGADIKKADAVU,
KANNUR DISTRICT.**

BY ADV. SRI.K.B.GANGESH

RESPONDENT(S):

- 1. STATE OF KERALA REPRESENTED BY THE SECRETARY TO
GOVERNMENT, POWER DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**
- 2. THE KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS CHAIRMAN,
VYDUTHI BHAVAN, PATTOM,
THIRUVANANTHAPURAM - 695 001.**
- 3. THE ASSISTANT ENGINEER,
KSEB, ELECTRICAL SECTION,
EDOOR - 670 704.**

**BY GOVERNMENT PLEADER SRI.NOUSHAD THOTTATHIL
BY SRI.JAICE JACOB,SC,KERALA STATE ELECTRICITY BOARD**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
17-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 21639 of 2015

APPENDIX

PETITIONERS EXHIBITS:

EXHIBIT P1: COPY OF THE DEMAND FOR ARREARS IN RESPECT OF CONSUMER NO.9519 OF THE PETITIONER'S COLLEGE MADE BY THE 3RD RESPONDENT ON 2.7.2015.

EXHIBIT P2: COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN WRIT PETITION (CIVIL) NO.5258/2013 DATED 6.1.2015.

RESPONDENTS EXHIBITS: NIL

/TRUE COPY/

P.A. TO JUDGE

SKV

P.V.ASHA, J.

=====

W.P.(C). No.21639 OF 2015

=====

Dated this the 17th day of July, 2015

JUDGMENT

The short question is as to whether a private educational institution is liable to be charged under LT VIA Tariff or LT VIIA Tariff. The issue is pending consideration before the Supreme Court in the appeal from Bro. Joseph Antony v. KSEB [2009 (3) KLT 1022]. I find that similar writ petitions have been disposed of permitting the respondents to charge the private educational institutions under LT VIIA Tariff. But the arrears of electricity charges on the basis of LT VIIA Tariff shall not be collected. The same can be done only dependent on the decision of the Supreme Court on the issue as held in W.P.(C).No.30323/2012.

The writ petition is disposed of accordingly.

Sd/-
P.V.ASHA, JUDGE

SKV