

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 1936

WP(C).No. 24206 of 2014 (A)

PETITIONER:

**RAJIV GANDHI CO-OPERATIVE HOSPITAL LTD
NO E.303, KOOTHATTUKULAM P O, ERNAKULAM DIST
REP BY ITS HONORARY SECRETARY**

BY ADV. SRI.ALIAS M.CHERIAN

RESPONDENTS:

- 1. KERALA STATE ELECTRICITY BOARD
VYDHUTHI BHAVAN, THIRUVANANTHAPURAM
REP BY ITS CHAIRMAN, PIN-695001**
- 2. THE MEMBER (SUPPLY)
KERALA STATE ELECTRICITY BOARD, VYDHUTHI BHAVAN
THIRUVANANTHAPURAM, PIN-695001**
- 3. THE EXECUTIVE ENGINEER
KERALA STATE ELECTRICITY BOARD, MUVATTUPUZHA
PIN-686661**
- 4. THE ASSISTANT ENGINEER
KERALA STATE ELECTRICITY BOARD
KOOTHATTUKULAM PIN-686662**

**BY ADVS. SRI. SAJEEVKUMAR K.GOPAL, SC, KSEB
SRI. JOICE GEORGE, SC, KSEB**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
06-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 24206 of 2014 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1:- TRUE COPY OF REPRESENTATION DTD 13/5/2014**
- P2:- TRUE COPY OF LETTER NO DBZ/LEOYEC/1415/39/10.8.14 DTD 10/8/2014**
- P3:- TRUE COPY OF THE RECEIPT NO 606225 ON 10/7/2014**
- P4:- TRUE COPY OF THE RECEIPT NO 616026 DTD 13/8/2014**
- P5:- TRUE COPY OF THE RECEIPT NO 616025 DTD 13/8/2014**
- P6:- TRUE COPY OF THE RECEIPT NO 623138 DTD 14/9/2014**
- P7:- TRUE COPY OF THE RECEIPT NO 623137 DTD 16/9/2014**

RESPONDENT(S)' EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 24206 OF 2014

Dated this the 06th day of January, 2015

JUDGMENT

The writ petition was filed seeking a direction to install a 100 KV transformer at the premises of the petitioner. It is now conceded that a 100 KV transformer has since been installed to give high tension connection. What survives is the levy of surcharge for the belated payment of the amount.

2. The petitioner has been given as many as fifteen instalments to pay the amount due. The surcharge was levied only to cover the interest on account of such deferred payments. Surcharge can be avoided only if the petitioner deposits the whole amount in lump.

3. The petitioner concedes that it is not in a position to deposit the entire amount demanded in Ext.P2 in lump. The petitioner having availed of instalment facility cannot complain of the surcharge levied. No other question arises for consideration in the above writ petition.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS