

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 10TH DAY OF AUGUST 2015/19TH SRAVANA, 1937

WP(C).No. 27934 of 2010 (N)

PETITIONER:

THRIVENI PREMANAND,
RATNAMMA FREEZE LAND,
P.O., PUTHIYANGADI, CALICUT.

BY ADVS.SRI.P.V.KUNHIKRISHNAN
SRI.HANSON.P.MATHEW

RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD
REPRESENTED BY CHAIRMAN, TRIVANDRUM.
2. THE DEPUTY CHIEF ENGINEER, APTS(HO)
VAIDYUTHI BHAVAN, TRIVANDRUM 695 004
3. THE ASSISTANT ENGINEER, ELECTRICAL SECTION,
ERANHIKAL P.O., PUTHIYANGADI, CALICUT 673 021.
4. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL MAJOR SECTION,
WEST HILL, CALICUT 673 005.

R1-4 BY ADV. SMT.P.KRADHIKA-KSEB
BY SRI.P.P.THAJUDEEN, SC, K.S.E.B

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10-08-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF BILL ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER DATED 03.05.2000.
- EXHIBIT P2 : TRUE COPY OF THE ORDER ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER DATED 12.05.2000.
- EXHIBIT P3 : TRUE COPY OF PAYMENT MADE PURSUANT TO EXHIBIT P2.
- EXHIBIT P4 : TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT DATED 03.03.2001.
- EXHIBIT P5 : TRUE COPY OF THE REVISED BILL DATED 11.08.2003.
- EXHIBIT P6 : TRUE COPY OF THE JUDGMENT IN WP(C) NO. 26542/2003 DATED 01.04.2009.
- EXHIBIT P7 : TRUE COPY OF THE ORDER NO. APTS/DCE/CR/BV 5706/KKD/105 DATED 07.07.2010.
- EXHIBIT P8 : TRUE COPY OF THE BILL DATED 28.08.2010 ISSUED BY THE ASSISTANT ENGINEER, KSEB, ERANHIKAL, CALICUT.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 27934 OF 2010

Dated this the 10th day of August, 2015

JUDGMENT

Ext.P7 order passed by the second respondent is evidently not in tune with Ext.P6 judgment in WP(C) No. 26542/2003. The correct quantity of electrical energy ought to have been determined by taking the average consumption for the previous three months as stated therein. This is because Regulation 31(c) of the Conditions of Supply of Electrical Energy, 1990 applied to the case on hand.

2. Ext.P7 order is accordingly modified directing the third respondent to issue a fresh invoice in accordance with the observations above. The same shall be done within a period of two months from the date of receipt of a copy of this judgment. No other ground is urged at the time of hearing.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**