

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 19361

WP(C).No. 29238 of 2011 (D)

PETITIONER:

**THE MANAGER,
VISWAJYOTHI COLLEGE OF ENGINEERING & TECHNOLOGY
VAZHAKKULAM, MUVATTUPUZHA, ERNAKULAM DISTRICT-686670.**

**BY ADVS.SRI.KURIAN GEORGE KANNANTHANAM (SR.)
SRI.TONY GEORGE KANNANTHANAM
SRI.MATHEW K. SIMON**

RESPONDENTS:

- 1. THE KERALA STATE ELECTRICITY BOARD
REPRESENTED BY ITS SECRETARY, VYDHUTHI BHAVAN
PATTOM.P.O., TRIVANDRUM-695 001.**
- 2. THE SPECIAL OFFICER (REVENUE),
KERALA STATE ELECTRICITY BOARD, VYDHUTHI BHAVAN
PATTOM PALACE P.O., TRIVANDRUM-695 001.**

**BY ADVS. SRI.T.R.RAJAN, SC, K.S.E.B.
SMT.P.K.RADHIKA, SC, K.S.E.B**

**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. 29238 of 2011 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 TRUE COPY OF THE JUDGMENT DATED 25.8.2009 IN
W.A.NO.1452/2009 OF THIS HONOURABLE COURT.**
- EXT.P2 TRUE COPY OF THE ORDER DATED 19.8.2010 IN WP(C)
NO.26233/2010 OF THIS HON. COURT.**
- EXT.P3 TRUE COPY OF THE DEMAND NOTICE DATED 15.10.2011 ISSUED
BY THE 2ND RESPONDENT.**
- EXT.P4 TRUE COPY OF THE ORDER DATED 26.3.2008 IN WP(C)
NO.10038/2008 OF THIS HONOURABLE COURT.**
- EXT.P5 TRUE COPY OF THE BILL DATED 7.9.2011 ISSUED BY THE 2ND
RESPONDENT.**
- EXT.P6 TRUE COPY OF THE BILL DATED 11.10.2011 OF DO.**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 29238 OF 2011

Dated this the 06th day of January, 2015

JUDGMENT

The short question is as to whether a private educational institution is liable to be charged under HT IV Tariff or HT II 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 HT IV Tariff. But the arrears of electricity charges on the basis of HT IV 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.

**V. CHITAMBARESH
JUDGE**

DCS