

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

WP(C).No. 29852 of 2015 (F)

PETITIONER(S):

**P.V. POULOSE, S/O.P.P. VARGHESE,
AGED 42 YEARS, PARAYIL HOUSE,
MEKKAD, ANGAMALY SOUTH P.O., PIN-683 573.**

**BY ADVS.SRI.C.A.CHACKO,
SMT.C.M.CHARISMA,
SMT.MEGHA K.XAVIER.**

RESPONDENT(S):

- 1. KERALA STATE ELECTRICITY BOARD LTD.,
REPRESENTED BY ITS SECRETARY,
VAIDHYUTHI BHAVAN, THIRUVANANTHAPURAM-695 004.**
- 2. THE ASSISTANT ENGINEER,
KERALA STATE ELECTRICITY BOARD LTD.,
OFFICE OF THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, ANGAMALY-683 572.**

BY ADV. SRI.JAICE JACOB, SC.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1 COPY OF THE RELEVANT PAGE OF PETITIONER'S BANK STATEMENT.

EXT.P2 COPY OF THE NOTICE DATED NIL WITH RESPECT TO
CONSUMER NO.3019840.

EXT.P3 COPY OF THE NOTICE DATED NIL WITH RESPECT TO
CONSUMER N.2021104.

EXT.P4 COPY OF THE BILL ISSUED TO CONSUMER NO.3019840.

EXT.P5 COPY OF THE BILL ISSUED TO CONSUMER NO.2021104.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.K.JAYASANKARAN NAMBIAR, J.

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W.P.(C).No.29852 of 2015

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Dated this the 1st day of October, 2015

J U D G M E N T

The challenge in the writ petition is against Exts.P2 to P5 notices and bills that is served on the petitioner for recovery of electricity charges that were short assessed on the petitioner. In the writ petition, the petitioner alleges that the revision came into effect only from 04.10.2014 whereas the demand for short assessment was made effective from 16.08.2014.

2. I have heard the learned counsel for the petitioner and the learned Standing Counsel appearing on behalf of the respondent board. The learned Standing counsel for the respondent Board would submit that the tariff revision came into force with effect from 16.08.2014 as evidenced by the Gazette dated 27.09.2014. In view of the said submission, it is apparent that, Exts.P1 to P5 bills seeking recovery of short assessed electricity charges are valid and cannot be found fault with. Counsel for the petitioner would however pray for some time to effect payment of the bill amount.

On a consideration of the facts and circumstances of the case and the submissions made across the bar, and taking into account the plea of financial hardship projected on behalf of the

petitioner, I permit the petitioner to pay the amounts demanded in Exts.P2 to P5, notices and bills, in six equal successive monthly instalments commencing from 20.10.2015. Save for the extension of the facility of instalment to pay the amounts demanded from the petitioner, the writ petition in its challenge against Ext.P2 to P5 bills is otherwise dismissed.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

