

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYAISHTA, 1937

WP(C).No. 34744 of 2009 (K)

PETITIONER:

MATA AMRITANANDAMAYI MATH,
PANTHALAM, REP. BY ITS
GENERAL MANAGER (OPERATIONS)
PRO. G. RAVINDRAN NAIR.

BY ADVS. SRI. K. SRIKUMAR
SRI. K. MANOJ CHANDRAN
SRI. P. R. AJITHKUMAR

RESPONDENTS:

1. THE KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY, VYDYUTHI BHAVAN
PATTOM PALACE P.O., THIRUVANANTHAPURAM.
2. THE ASSISTANT ENGINEER,
ELECTRICAL SUB DIVISION,
KSEB, PANTHALAM.
3. THE ASSISTANT EXECUTIVE ENGINEER,
KSEB ELECTRICAL SUB DIVISION, PANTHALAM.
4. THE SUB ENGINEER, KSEB,
ELECTRICAL CIRCLE, PATHANAMTHITTA.
5. THE DEPUTY CHIEF ENGINEER, KSEB,
ELECTRICAL CIRCLE, PATHANAMTHITTA.
6. STATE OF KERALA, REPRESENTED BY THE SECRETARY,
POWER DEPARTMENT, THIRUVANANTHAPURAM.

R, R1-5 BY ADV. SRI. P. P. THAJUDEEN, SC, K. S. E. B
R, R1-5 BY ADV. SMT. P. K. RADHIKA-KSEB
BY GOVERNMENT PLEADER SRI. T. R. RAJESH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04-06-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE SITE MAHAZAR DT. 25.08.2009.
- EXHIBIT P2 : TRUE COPY OF THE PROVISIONAL BILL DT. 29.08.2009.
- EXHIBIT P3 : TRUE COPY OF THE OBJECTION DATED 16.09.2009.
- EXHIBIT P4 : TRUE COPY OF THE APPLICATION FOR POWER ALLOCATION FOR THE ADDITIONAL LOAD OF 24 KW DATED 16.09.2009.
- EXHIBIT P5 : TRUE COPY OF THE REMITTANCES FOR APPLICATION AND PROCESSING FEE DATED 28.08.2009.
- EXHIBIT P6 : TRUE COPY OF THE LETTER DATED 26.09.2009.
- EXHIBIT P7 : TRUE COPY OF THE REPLY DATED 05.10.2009.
- EXHIBIT P8 : TRUE COPY OF THE LETTER DATED 21.10.2009.
- EXHIBIT P9 : TRUE COPY OF THE REPLY DATED 26.10.2009.
- EXHIBIT P10 : TRUE COPY OF THE LETTER DATED 12.11.2009.
- EXHIBIT P11 : TRUE COPY OF THE APPLICATION FOR ADDITIONAL LOAD OF 24KW DATED 17.10.2009.
- EXHIBIT P12 : TRUE COPY OF THE REMITTANCE OF APPLICATION AND PROCESSING FEE.
- EXHIBIT P13 : TRUE COPY OF THE BILL DATED 07.09.2009.
- EXHIBIT P13(a) : TRUE COPY OF THE BILL DATED 04.11.2009
- EXHIBIT P14 : TRUE COPY OF THE LETTER DATED 17.11.2009.
- EXHIBIT P15 : TRUE COPY OF THE ORDER DATED 09.11.2009.
- EXHIBIT P16 : TRUE COPY OF THE BILL DATED 25.01.2009.
- EXHIBIT P17 : TRUE COPY OF THE SRO NO. 250/2005

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 34744 OF 2009

Dated this the 4th day of June, 2015

JUDGMENT

Ext.P15 order passed in terms of Section 126 of the Electricity Act, 2003 is impugned. The same is very much appealable under Section 127 of the Electricity Act, 2003. Any appeal filed within one month from today shall be dealt within two months therefrom. The appellate authority has been newly constituted pursuant to **Muhammad Haji Vs. Kerala State Electricity Board [2014 (3) KLT 706]**.

2. All legal and factual contentions can be urged before the appellate authority. The interim order of stay of coercive proceedings passed in this writ petition would remain in force for a period of four months. The alleged delay in processing the application for additional load shall also be adverted to.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**