

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. 34457 of 2011 (F)

PETITIONER:

**BHARATIYA VIDYA BHAVAN,
TRICHUR KENDRA,
THIRUVAMBADI BUILDING, ROUND WEST
TRICHUR- 680 001.
REPRESENTED BY ITS SECRETARY - K.S. UNNI**

**BY ADVS.SRI.V.V.ASOKAN
SRI.R.JAIKRISHNA**

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT
DEPARTMENT OF POWER, SECRETARIAT
THIRUVANANTHAPURAM- 695 001.**
- 2. THE STATE ELECTRICITY REGULATORY
COMMISSION, REPRESENTED BY THE SECRETARY
THIRUVANANTHAPURAM- 695 001.**
- 3. THE KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY THE SECRETARY, VAIDHYUTHI BHAVAN, PATTOM
THIRUVANANTHAPURAM- 695 001.**
- 4. THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, KERALA STATE ELECTRICITY BOARD
NADATHARA, TRICHUR- 680 001.**

**R1 BY GOVERNMENT PLEADER SRI. P. FAZIL
R2 TO R4 BY ADV. SRI.T.R.RAJAN, SC, K.S.E.B.
SRI.K.M.SATHYANATHA MENON, 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. 34457 of 2011 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

P1 : TRUE COPY OF THE DEMAND NOTICE ISSUED BY THE 4TH RESPONDENT.

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 34457 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 LT-VIA Tariff or LT-VIIA 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 LT-VIIA Tariff. But the arrears of electricity charges on the basis of LT-VIIA 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