

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 21ST DAY OF OCTOBER 2015/29TH ASWINA, 1937

WP(C).No. 32185 of 2015 (W)

PETITIONER:

**PRIME VINEERS LTD., MILL ROAD,
VALAPATTANAM, KANNUR DISTRICT - 670010,
REPRESENTED BY ITS MANAGING DIRECTOR,
T.P.HANEEFA.**

BY ADV. SRI.P.M.PAREETH

RESPONDENT(S):

- 1. KERALA STATE ELECTRICITY BOARD LTD.,
REPRESENTED BY ITS SECRETARY,
VIDYUTHI BHAVANAM, PATTOM,
THIRUVANANTHAPURAM - 695 004.**
- 2. ASSISTANT ENGINEER,
KERALA STATE ELECTRICITY BOARD,
ELECTRICAL SECTION, AZHIKODE,
KANNUR DISTRICT - 670 009.**
- 3. CONSUMER GRIEVANCE REDRESAL FORUM,
NORTHERN REGION, GANDHI ROAD,
KOZHIKODE - 673 032.**

R1 & R2 BY SRI.JAICE JACOB,SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONERS' EXHIBITS:

- EXT. P1 : A TRUE PHOTOCOPY OF THE RELEVANT PORTION OF TARIFF
NOTIFICATION DATED 30.4.13 ISSUED BY THE ELECTRICITY
REGULATORY COMMISSION.
- EXT. P2 : A TRUE PHOTOCOPY OF THE ARREAR DEMAND DATED 29.9.15 FOR
RS.4,58,860/- FOR 10/2013 TO 7/2015 ISSUED BY THE
2ND RESPONDENT.
- EXT. P3 : A TRUE PHOTOCOPY OF THE COMPLAINT DATED 12.10.15 SUBMITTED
BY THE PETITIONER BEFORE THE 3RD RESPONDENT.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.K.JAYASANKARAN NAMBIAR, J.

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Dated this the 21st day of October, 2015

JUDGMENT

The petitioner, who is aggrieved by Ext.P2 demand notice for differential electricity charges, has preferred Ext.P3 complaint before the 3rd respondent. The grievance of the petitioner in the writ petition is that, even before the 3rd respondent had occasion to consider and pass orders on Ext.P3 complaint preferred by the petitioner, the respondents are taking recovery steps for recovery of amounts confirmed against the petitioner by Ext.P2 demand notice.

I have heard the learned counsel appearing for the petitioner as also the learned Standing Counsel appearing for the respondents.

On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with a direction to the 3rd respondent to consider and pass orders on Ext.P3 complaint, filed by the petitioner before him, within a period of six weeks from the date of receipt of a copy of this judgment. I make it clear that, till such time as orders are passed by the 3rd respondent as directed and communicated to the petitioner, recovery steps, including disconnection of electricity,

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against the petitioner pursuant to Ext.P2 demand notice, shall be kept in abeyance.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das /21.10.15