

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 28TH DAY OF OCTOBER 2015/6TH KARTHIKA, 1937

WP(C).No. 32768 of 2015 (U)

PETITIONER :

**MARICKAR PLANTATIONS PVT. LTD., 41/3611,
OLD RAILWAY STATION ROAD, KOCHI - 682020
REPRESENTED BY ITS DIRECTOR F.M. SHAMIER MARICKAR,
S/O. DR. Y.M.FAZIL MARICKAR, AGED 38 YEARS, A-6 KENT NALUKETTU,
CHAKKAAPARAMBU, VENNALA P.O., KOCHI - 682028.**

**BY ADVS.SRI.KRISHNA PRASAD. S
SRI.NOBEL RAJU**

RESPONDENTS :

- 1. ASSISTANT ENGINEER, OFFICE OF THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, PEERMADE, PIN - 685531.**
- 2. DEPUTY CHIEF ENGINEER, OFFICE OF THE DEPUTY CHIEF ENGINEER,
ELECTRICAL CIRCLE, THODUPUZZHA - 685584.**
- 3. SPECIAL OFFICER (REVENUE) VYDYUTHY BHAVANAM,
PATTOM, THIRUVANANDAPURAM PIN - 695004.**
- 4. KERALA STATE ELECTRICITY BOARD, REPRESENTED
BY ITS SECRETARY, VAIDYUTHI BHAVAN,
THIRUVANANDAPURAM PIN - 695004.**

BY SRI.JAICE JACOB,SC,KERALA STATE ELECTRICITY BOARD

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 32768 of 2015 (U)

APPENDIX

PETITIONER'S EXHIBITS :

- P1: COPY OF THE JUDGMENT WPC NO. 10119/2015 DT 27/3/2015 OF THE HIGH COURT OF KERALA.
- P2: COPY OF THE JUDGMENT WPC NO. 19370/2015 DT 26/6/2015 OF THE HIGH COURT OF KERALA.
- P3: COPY OF THE DEMAND NOTICE DT 7/9/2015 FOR AN AMOUNT OF RS. 1,89, 935/- ISSUED BY THE R3.
- P4: COPY OF THE DEMAND NOTICE DT 5/10/2015 FOR AN AMOUNT OF RS 2,34,215/- ISSUED BY THE R3.

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.K.JAYASANKARAN NAMBIAR, J.
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W.P.(C). No. 32768 of 2015
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Dated this the 28th day of October, 2015

JUDGMENT

The petitioner, who is faced with a demand of electricity charges from the respondent Board, by Exts.P3 and P4 notices, seeks only the grant of installments to discharge the liability under the said notices.

2. 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, and taking note of the plea of financial hardship urged on behalf of the petitioner, I dispose the writ petition with following directions:

- (i) The total amount due to the respondent Board as seen from Exts.P3 and P4 is Rs.4,24,150/-. Accordingly, if the petitioner remits the aforesaid amount of Rs.4,24,150/- together with accrued interest in three equal and successive monthly installments commencing from 15.11.2015, then further proceedings for

recovery pursuant to Exts.P3 and P4 notice shall be kept in abeyance.

- (ii) It is made clear that if the petitioner commits a default in respect of any of the installments, he will lose the benefit of this judgment and the respondent will be free to continue the recovery proceedings against him from the stage at which they presently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE

W.P.(C). No. 32768 of 2015

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