

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYAISHTA, 1937

WP(C).No. 38613 of 2010 (B)

PETITIONER(S):

**P.A.KARUPPAN, AGED 84 YEARS,
S/O.APPY, PATTARUKADAVIL, KOTHERI ROAD
VADUTHALA, KOCHI-23.**

**BY ADVS.SRI.SANTHOSH G. PRABHU
SMT.N.U.DEEPA**

RESPONDENT(S):

- 1. KERALA STATE ELECTRICITY BOARD,
VYDHYUTHI BHAVAN, PATTAM, THIRUVANANTHAPURAM
REPRESENTED BY ITS SECRETARY.**
- 2. ASSISTANT ENGINEER, ELECTRICAL SECTION,
KERALA STATE ELECTRICITY BOARD, VADUTHALA, KOCHI-682 012.**

**R1&R2 BY ADV. SRI.P.P.THAJUDEEN, SC, K.S.E.B
R1&R2 BY ADV. SMT.P.K.RADHIKA-KSEB**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22-05-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

- P1: COPY OF THE DEMAND NOTICE DATED 21.12.2010 OF THE 2ND RESPONDENT ISSUED TO THE PETITIONER
- P2: COPY OF COVERING LETTER DATED 21.12.2010 OF THE 2ND RESPONDENT ISSUED TO THE PETITIONER
- P3: COPY OF THE RECEIPT DATED 22.12.2010 ISSUED FROM THE OFFICE OF THE 2ND RESPONDENT TO THE PETITIONER'S
- P4: COPY OF THE OBJECTION DATED 22.12.2010 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT
- P5: COPY OF THE COMPLAINT DATED 07.10.2009 SUBMITTED BY THE PETITIONER BEFORE THE MINISTER FOR ELECTRICITY
- P6: COPY OF THE COMPLAINT DATED 07.11.2009 SUBMITTED BY THE PETITIONER BEFORE THE MINISTER OF ELECTRICITY
- P7: COPY OF THE DEMAND NOTICE DATED 06.11.2010 ISSUED TO THE PETITIONER BY THE 2ND RESPONDENT .

RESPONDENTS' EXHIBITS: N I L

//TRUE COPY//

P.A. TO JUDGE

JV

ANIL K. NARENDRAN, J.

W.P.(C) No.38613 of 2010

Dated this the 22nd day of May, 2015

JUDGMENT

The petitioner is a domestic consumer under the 2nd respondent with Consumer No.10474/05. The petitioner was issued with Ext.P1 demand notice dated 21.12.2010 demanding a sum of Rs..95,826/- towards energy charges on the allegation that in a surprise inspection conducted at the petitioner's residential building on 21.12.2010, theft of electric energy was detected. Ext.P1 demand notice was forwarded to the petitioner alongwith Ext.P2 covering letter of the 2nd respondent. On 22.12.2010, the petitioner paid a sum of Rs.16,000/- under protest to restore the electric connection, vide Ext.P3 receipt and submitted Ext.P4 objection against the assessment made in Ext.P1 demand notice.

2. The petitioner has filed this writ petition seeking a writ of mandamus commanding the 2nd respondent to consider and pass orders on Ext.P4 objection within a time frame fixed by this Court and also seeking a writ of mandamus commanding the 2nd respondent to restore the power supply to his residential

premises with Consumer No.10474/05 forthwith.

3. By order dated 23.12.2010, this Court ordered that in case, the petitioner pays half the amount payable under Ext.P1 alongwith reconnection charges, the respondents shall reconnect the electric connection to the petitioner's premises and that, within one month from the date of reconnection, the petitioner shall pay the balance amount due as per Ext.P1.

4. Today, when the case was taken up for final hearing, there was no representation for the petitioner. Adv.P.Radhika, Standing Counsel for the Board, entered appearance for the respondents.

In view of the interim order dated 23.10.2010, this writ petition is disposed of making that order absolute. If Ext.P4 objection filed by the petitioner is still pending consideration, the 2nd respondent shall dispose of the the same, as expeditiously as possible, at any rate, within a period of two months from the date of receipt of a certified copy of this judgment, with notice to the petitioner.

Sd/-
ANIL K. NARENDRA,
JUDGE