

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 19TH DAY OF NOVEMBER 2015/28TH KARTHIKA, 1937

WP(C).No. 34894 of 2015 (J)

PETITIONER(S):

**NISHANTH, S/O.PAVITHRAN,
EP III 178 A, THOTTADA, P.O. THOTTADA,
KANNUR DISTRICT-670 007.**

BY ADV. SRI.P.M.PAREETH.

RESPONDENT(S):

**1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY,
VIDYUTHI BHAVANAM, PATTOM,
THIRUVANANTHAPURAM-695 004.**

**2. ASSISTANT ENGINEER,
KERALA STATE ELECTRICITY BOARD,
ELECTRICAL SECTION, CHOVA,
KANNUR DISTRICT-670 006.**

BY ADV. SRI.JAICE JACOB, SC.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE LEASE DEED DATED 15/11/2012 EXECUTED BY THE SAID GANGADARAN AND THE PETITIONER.
- EXT.P2 COPY OF THE SITE MAHAZAR DATED 30/10/2015 PREPARED BY THE SUB ENGINEER, ELECTRICAL SECTION, CHOVVA.
- EXT.P3 COPY OF THE PENAL BILL DATED 03/11/2015 TOGETHER WITH THE COVERING LETTER ISSUED BY THE 2ND RESPONDENT.
- EXT.P4 COPY OF THE LETTER DATED 03/11/2015 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.
- EXT.P5 COPY OF THE OBJECTION DATED 17/11/2015 SUBMITTED BY THE PETITIONER.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 34894 of 2015

Dated this the 19th day of November, 2015

JUDGMENT

The petitioner, who is aggrieved by Ext.P3 penal bill, that was served on him under the Electricity Act, seeks only a direction to the 2nd respondent, before whom he has preferred Ext.P5 statutory objection, to consider and pass orders on the said objection within a specified time frame, and to keep recovery steps for recovery of amounts confirmed against the petitioner by Ext.P3 bill in abeyance till such time as the 2nd respondent has considered Ext.P5 objection.

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 as also the submissions made across the bar, I dispose the writ petition with a direction to the 2nd respondent to consider and pass orders on Ext.P5 objections, after hearing the petitioner, within a period of one month from the date of receipt of a copy of this judgment. I make it clear that the recovery steps for recovery of amounts confirmed against the petitioner by Ext.P3 penal bill,

including steps for disconnection of electric supply to the premises of the petitioner, shall be kept in abeyance, till such time as orders are passed by the 2nd respondent as directed and communicated to the petitioner.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE