

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 8TH DAY OF JANUARY 2015/18TH POUSHA, 1936

WP(C).No. 35475 of 2014 (H)

PETITIONER:

SHAJAHAN, AGED 49 YEARS,
S/O. MUHAMMED, HANEEFA FALAKH, SANADHANAM
WARD, ALAPPUZHA-688 001.

BY ADV. SRI.A.AHZAR

RESPONDENTS:

1. THE DEPUTY CHIEF ENGINEER
KERALA STATE ELECTRICITY BOARD, ELECTRICAL CIRCLE,
ALAPPUZHA, ALAPPUZHA-688007.
2. EXECUTIVE ENGINEER
KERALA STATE ELECTRICITY BOARD, ELECTRICAL DIVISION
ALAPPUZHA-688007.
3. THE ASSISTANT EXECUTIVE ENGINEER
KERALA STATE ELECTRICITY BOARD
ELECTRICAL SUB DIVISION, ALAPPUZHA-688007.
4. ASSISTANT ENGINEER
KERALA STATE ELECTRICITY BOARD
ELECTRICAL SECTION TOWN, VYDHYUTHY BHAVANAM
ALAPPUZHA-688007.
5. MRS.SANTHI BHAI GUPTA
W/O. RAMAVATHAR GUPTA, SANTHI BUILDING,
MUNICIPAL OFFICE WARD, ALAPPUZHA-688007.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1- TRUE COPY OF THE SALE DEED DATED 28-06-2013.

EXHIBIT P2- TRUE COPY OF THE NOTICE DATED 15-5-2014 BY THE OFFICE OF THE
ASSISTANT ENGINEER

EXHIBIT P3- TRUE COPY OF THE OBJECTION DATED 25-5-2014.

EXHIBIT P4- TRUE COPY OF THE ELECTRICITY BILLS.

EXHIBIT 4(A)- TRUE COPY OF THE RECEIPTS OF THE ELECTRICITY BILLS.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.35475 of 2014

Dated this the 8th day of January, 2015

J U D G M E N T

The petitioner has filed Ext.P3 objection to Ext.P2 notice demanding ₹ 1,49,218/-. The amount allegedly depicts the dues of the transferor of the property to the petitioner. The petitioner seeks fresh electricity connection to the premises disputing the demand under Ext.P2 notice.

2. Clause 40(3) of the Kerala Electricity Supply Code, 2014 governs the case in hand. The petitioner is required to deposit a sum equal to the electricity arrears and other liabilities excluding interest due from the erst while owner. The petitioner is willing to pay the amount under protest subject to final orders passed on Ext.P3 objection.

3. I direct respondents 1 to 4 to give electricity connection to the premises of the petitioner. This is subject to the condition that the petitioner complies with the condition under Clause 40 (3) of the Kerala Electricity Supply Code, 2014. The electricity connection shall be given within three days of the petitioner making the requisite deposit.

4. Final orders on Ext.P3 objection shall also be passed within a period of two months. Needless to say that the revenue revenue proceedings against the petitioner shall be halted on the deposit being made in accordance with Clause 40(3) of the Kerala Electricity Supply Code, 2014.

The writ Petition is disposed of as above.

V.CHITAMBARESH,
Judge.

nj.