

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE AMIT RAWAL

FRIDAY, THE 29TH DAY OF MAY 2020 / 8TH JYAISHTA, 1942

WP (C) .No.10621 OF 2020 (C)

**PETITIONER/S:**

JOHNSON MANAYANI  
AGED 64 YEARS  
S/O. LATE DEVASSIA MATHAI, ADVOCATE, MANAYANI  
ASSOCIATES, MANASTERY ROAD, KOCHI-682011

BY ADV. SRI.N.K.SUBRAMANIAN

**RESPONDENT/S:**

- 1 THE KERALA STATE ELECTRICITY BOARD  
PATTOM P.O, THIRUVANANTHAPURAM-695 011, REP. BY ITS  
SECRETARY.
- 2 THE STATE OF KERALA,  
REP. BY ITS SECRETARY TO ELECTRICITY AND POWER  
SECRETARIATE, THIRUVANANTHAPURAM-695 001
- 3 THE ASSISTANT EXECUTIVE ENGINEER,  
THE KERALA STATE ELECTRICITY BOARD, COLLEGE SECTION,  
ERNAKULAM-682 011

**OTHER PRESENT:**

SRI SUDHEER KUMAR SC  
GP SRI PAUL ABRAHAM VAKKANAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 29.05.2020, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**JUDGMENT**

**Dated this the 29<sup>th</sup> day of May 2020**

The petitioner, a consumer of electricity, has sought the indulgence of this Court under Article 226 of the Constitution of India for quashing of Ext.P4, whereby he has been charged a sum of Rs.2,094/- as door locked adjustment account over and above the other charges.

2. As per the averment the petitioner having two electricity connections under the 3<sup>rd</sup> respondent ie., one under the domestic tariff and the other one is under the Advocate's Office Tariff. The petitioner received Ext.P4 notice whereby a bill of Rs.6087/- has been asked to be paid by 30<sup>th</sup> of May 2020, which includes a sum of Rs.2,094/- of door locked adjustments.

3. The learned counsel appearing on behalf of the petitioner submits that against the receipt of the bill Ext.P4 the petitioner submitted a representation Ext.P5 dated 22.5.2020 by referring to the previous remittance and there was no question of Door lock adjustment or any arrears.

4. Learned Standing Counsel for the KSEB submits that the bill is in accordance with law. If at all, the petitioner is aggrieved has independent remedy to approach the consumer court. Attention of this Court has also been drawn to the Bills Exts.P2 and P3 regarding the consumption of units, which shows that there was an increase and accordingly the difference between the previous charges has been asked as door locked adjustments.

I have heard the learned counsel for the parties, appraised the paper book and of the view that prima facie the demand raised Ext.P4 of Rs.2,094/- towards the door locked adjustment does not appear to be justified. If at all it was so, the department could have called upon the petitioner in order to justify the demand. Without expressing any opinion on the merits of the matter, I dispose of the writ petition with a direction to the 3<sup>rd</sup> respondent to afford an opportunity of hearing to the petitioner in justifying the alleged demand of door locked adjustment of

Rs.2,094/- and thereafter pass a speaking order. In case the explanation given by the petitioner is found justified, the charges would be defrayed. It is made clear that since the time to deposit bill is to expire, the payment of deposit of the actual usual charges minus 2,094/-, is ordered to be kept in abeyance and shall be only decided after the decision as directed above.

The writ petition stands disposed of.

Sd/-

**AMIT RAWAL**

**JUDGE**

sab

**APPENDIX**

**PETITIONER'S/S EXHIBITS:**

EXHIBIT P1	TRUE COPY OF THE BILL DT. 21.11.2019 OF THE PETITIONER'S DOMESTIC CONNECTION.
EXHIBIT P2	TRUE COPY OF THE BILL DT. 21.1.2020 OF THE PETITIONER'S DOMESTIC CONNECTION.
EXHIBIT P3	TRUE COPY OF THE BILL DT. 21.3.2020 OF THE PETITIONER'S DOMESTIC CONNECTION.
EXHIBIT P4	TRUE COPY OF THE BILLS DT. 19.5.2020 OF THE PETITIONER'S DOMESTIC AND ADVOCATE'S OFFICE CONSUMER BILLS ISSUED BY THE 3RD RESPONDENT.
EXHIBIT P5	TRUE COPY OF THE PETITIONER'S PETITION OF 22.5.2020 FILED BEFORE THE RESPONDENTS 1 TO 3 WITHOUT THE DOCUMENTS ATTACHED THEREIN.