

(2012) 11 KL CK 0153
In the High Court Of Kerala
Case No : WP. (C) . No. 24412 of 2012 (B)

K.R. Santhosh Kumar

APPELLANT

Vs

The Kerala Water Authority, The Assistant Executive Engineer
Water Supply Project Sub Division Kerala Water Authority
Irinjalakuda 680121 and The Executive Engineer. Kerala
Water Authority Irinjalakuda 680121

RESPONDENT

Date of Decision : 01-11-2012

Acts Referred:

Citation : (2012) 11 KL CK 0153

Hon'ble Judges : T.R. Ramachandran Nair, J

Bench : Single Bench

Advocate : R.S. Kalkura, Sri. M.S. Kalesh, Smt. A.V. Priya and Sri. Harish Gopinath, for the Appellant; Millu Dandapani, SC, Kerala Water Authority for R1, 2 and 3, for the Respondent

Judgement

Justice T.R. Ramachandran Nair

1. The petitioner has been running a bar attached hotel by name " Golden Bar " in the building bearing Door No. 248, Ward No. II of Kodakara Panchayat. The grievance raised is with regard to Exhibit P15. Therein it is informed that for settlement of the arrears on a one time settlement, Rs. 3,79,585/- shall be recovered from the petitioner, which is based on a calculation statement. According to the learned counsel for the petitioner, the petitioner's bar hotel had only a non-domestic water connection. There was no default in payment of bills also.

2. Prior to the receipt of Exhibit P15, it is stated in paragraph No. 11 of the Writ Petition that an amount of Rs. 1 lakh has already been remitted as directed by this Court in Exhibit P12 judgment.

3. Mainly it is pointed out that there is no application of mind while passing Exhibit P15. Various other contentions have also been raised. Therefore, mainly

this is a question whether the calculation statement is correct or not.

4. Heard the learned Standing Counsel for the Water Authority, who submitted that if the petitioner approaches the Executive Engineer, copy of the calculation statement will be furnished and if he has any serious objections in the matter, he can approach the Managing Director by filing an appeal.

5. There will be a direction to the respondents to furnish the calculation statement to the petitioner within a period of one week. After receipt of the calculation statement, if an appeal is filed, the same will be disposed of within a further period of three weeks, after hearing the petitioner. The learned counsel for the petitioner seeks for a sympathetic consideration of the matter by the Managing Director. It is open to the Managing Director to evaluate all aspects in the light of the contentions raised by the petitioner. Till the matter is finalised, no further action will be taken against the petitioner on Exhibit P15.

The Writ Petition is disposed of as above.