

(2011) 03 KL CK 0083
In the High Court Of Kerala
Case No : W.A. No. 391 of 2011

P.R. Aravindakshan Nair

APPELLANT

Vs

The Assistant Engineer, The Executive Engineer, The Chief
Electrical Inspector and The Kerala Electricity Board

RESPONDENT

Date of Decision : 23-03-2011

Acts Referred:

Citation : (2011) 03 KL CK 0083

Hon'ble Judges : P.S. Gopinathan, J;C.N. Ramachandran Nair, J

Bench : Division Bench

Advocate : T.O. Xavier, for the Appellant; No Appearance, for the Respondent

Judgement

C.N. Ramachandran Nair, J.—On going through the judgment impugned in the appeal, we find that the learned Single Judge has allowed the Writ Petition by directing modification of the electricity bill in tune with the report of the Electrical Inspector which directed application of multiplication factor at 6 as against 20 applied by the Board while raising the bill. The Appellant's case is that even multiplication factor at 6 cannot be applied. The Appellant has a single phase connection as against the meter connected, which is suitable for a three phase connection. We do not think this Court should consider the dispute on electricity bill because Section 127 provides for a statutory appeal to the Deputy Chief Engineer. Further it is seen that the Appellant has not raised this contention before the learned Single Judge and therefore, this issue does not arise for consideration in the Writ Appeal. Accordingly, we close the Writ Appeal leaving freedom to the Appellant to file statutory appeal before the Deputy Chief Engineer against the electricity bill sustained by the learned Single Judge on this issue.