

**KERALA STATE ELECTRICITY REGULATORY
COMMISSION
THIRUVANANTHAPURAM**

Petition No: OP 69 / 2021

Present : **Shri. Preman Dinaraj, Chairman**
: **Adv. A. J. Wilson, Member (Law)**

In the matter of :Petition filed by M/s Asset Homes Private Limited under Section 142 of Electricity Act 2003 - Complaint filed in the matter of contravention of provisions of Electricity Act, 2003, Supply Code, 2014 and Orders of the Commission - Delay / denial of service connections, making of illegal demands

Petitioner : (1) Sri Sunil Kumar.V,
The Managing Director,
M/s Asset Homes Private Limited
Asset Centrale, Kundanoor Junction
Maradu P.O, Ernakulam
Kochi – 682304

(2) Smt Anitha Beena D/o Yahia
Asset Corrodor, Old NH Bye Pass
Edapally North, Ernakulam, 682024

Petitioner represented by : Adv.Shiraz Bava

Respondent : (1) Smt.Sunitha Jose,
Executive Engineer Electrical Division
Vydhuthi Bhavanam Power House Road
Ernakulam 682018

(2) Sri.Neelakanda.S,
Executive Engineer, Transmission Division
Old Jankar Jetty Road, High Court Jn.,
Ernakulam - 682 031

(3) Smt.Pushpa.T., Deputy CE Transmission Circle,
Kerala State Electricity Board Ltd., Kalamasserry,
HMT Colony P.O., Emakulam -683 503.

(4) The Chairman and Managing Director,
Kerala State Electricity Board Limited.
Vydhuthi Bhavanam, Pattom,
Thiruvananthapuram 695 004.

Respondent Represented by : (1) Smt.Pushpa.T, Deputy CE Transmission Circle,
Kerala State Electricity Board Ltd., Kalamasserry
(2) Smt.Sunitha Jose,
Executive Engineer, Electrical Division
Vydhuthi Bhavanam Power House Road,
Ernakulam Division
(3) Sri. Suresh, Executive Engineer, TRAC

Date of Hearing : 07.02.2022

Daily Order Dated 09.02.2022

1. M/s Asset Homes Private Limited is a private company engaged in the business of development of residential and other buildings. Sri Sunil Kumar.V, the Managing Director, M/s Asset Homes Private Limited and Smt Anitha Beena, the land owner of a property are the petitioners. They have filed the petition seeking action under Section 142 of the Electricity Act, 2003 for contravention of provisions of Electricity Act, 2003, Supply Code, 2014 and Orders of the Commission - Delay / denial of service connections, making of illegal demands by KSEB Ltd.
2. M/s Asset Homes Private Limited has stated that the Respondents, M/s KSEB Ltd are acting contrary to the statutory provisions and the orders of this Commission and harassing consumers by devising practices and demands contrary to the statutory provisions and binding orders of the Commission. The Petitioners has specifically mentioned that KSEB Ltd is insisting on the repealed concept of Power Allocation, demanding of amounts for common development of transmission infrastructure, denying/delaying of service connection on the ground that Transmission Development Charges have not been paid. They have also stated that the illegal action of KSEB Ltd is delaying the handing over of the project to the respective owners and also exposing the M/s Asset Homes Private Limited , the Petitioner to penal provisions.
3. The petitioners prayed that the Commission may initiate action against the Respondents under the provisions of Section 142 of Electricity Act 2003, and to suitably punish the Respondents and also to order compensation to the Petitioners on account of the denial/delay in providing Service Connection. The petitioner has also sought for interim relief in the matter praying the Commission to stay the demand of Rs. 13,23,000/- made by KSEB Ltd, provide the service connections to the building for supply to the common areas of the residential portion and to pass such other interim orders/directions as the Commission may deem fit and proper to pass on the facts and in the circumstances of the case.

4. Commission had considered the matter and the said petition was admitted as OP 69 of 2021. The hearing in the matter was conducted on 07.02.2022. The Commission in the hearing viewed that the petitioner had already received an order in the matter with regard to the payment of Rs. 13,23,000/- vide Judgment of the Hon'ble High Court of Kerala dated 27th January 2022 in W.P.(C) No.25468/2021 and the interim prayers of the petitioner are subjudice
5. Adv.Shiraz Bava, represented the petitioner and submitted that action under 142 may be initiated against the respondents in view of the contravention of provisions of Electricity Act, 2003, Supply Code, 2014 and Orders of the Commission with regard to delay / denial of service connections, making of illegal demands by KSEB Ltd.
6. Smt.Sunitha Jose, Executive Engineer, Electrical Division submitted their counters against the alleged contravention of provisions of Electricity Act, 2003, Supply Code, 2014 and Orders of the Commission with regard to delay / denial of service connections, making of illegal demands by KSEB Ltd and stated that no such contraventions / non compliance has occurred from the side of the licensee as the works regarding the construction of the said building was completed only recently.
7. The hearing was adjourned and the Commission directed KSEB Ltd to furnish a detailed counter on the matter presenting the dates and facts. KSEB Ltd is to attach a copy of the said counter to the petitioner. The petitioner may submit their counter, if any on the submission made by KSEB Ltd in the matter. **The next hearing on the matter will be held at 11.00 AM on 8th March 2022.**

Sd/-
Adv. A. J. Wilson
Member (Law)

Sd/-
Preman Dinaraj
Chairman

By Order of the Commission
Sd/-
C.R.Satheesh Chandran
Secretary