



2026:KER:44152

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. SOUMEN SEN

&

THE HONOURABLE MR. JUSTICE SYAM KUMAR V.M.

THURSDAY, THE 18TH DAY OF JUNE 2026 / 28TH JYAISHTA, 1948

WP(PIL) NO. 109 OF 2026

PETITIONERS:

- 1 JACOB MATHEW
AGED 58 YEARS
S/O. V. T MATHEW, VILLA 8, PRAKARTI AAWAAS,
NEDUMKULANGARA MALA ROAD, ATHANI, KAKKANAD,
KERALA, PIN - 682030

- 2 ASOKAN A. M
AGED 61 YEARS
S/O. MADHAVAN, ARACKAL HOUSE, CHUNANGAMVELI,
ERUMATHALA P. O., ALUVA, ERNAKULAM,, PIN -
683112

BY ADVS.

SRI.RENJITH B.MARAR
SMT.LAKSHMI.N.KAIMAL
SRI.P.RAJKUMAR
SRI.KESHAVRAJ NAIR
SHRI.BIJU VIGNESWAR
SHRI.ARUN POOMULLI
SHRI.ABHIRAM.S.
SMT.GAADHA SURESH
SHRI.AKSHAY SHIBU
SHRI.ANANTHAPADMANABHAN
SHRI.ASHISH PAUL
SMT.LAXMISREE JAYANTHA KUMAR
SHRI.MURALI KRISHNA PRASAD



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RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY CHIEF SECRETARY, SECRETARIAT
THIRUVANANTHAPURAM,, PIN - 695001
- 2 PRINCIPAL SECRETARY
POWER DEPARTMENT, GOVERNMENT OF KERALA,
SECRETARIAT THIRUVANANTHAPURAM,, PIN - 695001
- 3 KERALA STATE ELECTRICITY REGULATORY COMMISSION
REPRESENTED BY ITS CHAIRPERSON K.P.F.C.
BHAVANAM, C.V. RAMAN PILLAI ROAD,
VELLAYAMBALAM, THIRUVANANTHAPURAM,, PIN -
695010
- 4 KERALA STATE ELECTRICITY BOARD LTD.
REPRESENTED BY ITS CHAIRMAN AND MANAGING
DIRECTOR, VYDYUTHI BHAVANAM, PATTOM,
THIRUVANANTHAPURAM,, PIN - 695004

BY ADV.

MR.NANDAGOPAL S.KURUP, SC R3

MR.B.PREMOD, SC - R4

MS.O.A.NURIYA, SR. GOVERNMENT PLEADER

THIS WRIT PETITION (PUBLIC INTEREST LITIGATION) HAVING
COME UP FOR ADMISSION ON 18.06.2026, THE COURT ON THE
SAME DAY DELIVERED THE FOLLOWING:



J U D G M E N T

Dated this the 18th day of June, 2026

Soumen Sen, C.J.

Heard Mr.Renjith B.Marar, the learned counsel for the petitioners and Ms.O.A.Nuriya, the learned Senior Government Pleader.

2. During the pendency of the writ petition, an application for amendment of the pleadings has been filed. However, considering the nature of the proposed amendment, we are of the view that a comprehensive writ petition can be filed challenging the order which form the subject matter of the application for amendment.

3. Hence, the writ petition as also the interlocutory application stand dismissed as withdrawn with liberty to file a fresh petition on the same cause of action as also the



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cause of action urged in the application for amendment of
the writ petition.

Sd/-

Soumen Sen
Chief Justice

Sd/-

Syam Kumar V.M.
Judge

Mn

APPENDIX OF WP(PIL) NO. 109 OF 2026

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE EMAIL DATED 11.10.2025 SENT BY ONE OF THE PROSUMERS TO THE 3RD RESPONDENT.
- Exhibit P2 TRUE COPY OF THE EMAIL DATED 26.01.2026 SENT BY ONE OF THE PROSUMERS TO THE RESPONDENT NOS. 2 & 3.
- Exhibit P3 TRUE COPY OF THE EMAIL DATED 16.02.2026 SENT BY ONE OF THE SIMILARLY PLACED PROSUMERS TO THE 3RD RESPONDENT.
- Exhibit P4 TRUE COPY OF THE EMAIL DATED 18.02.2026 SUBMITTED BY ONE OF THE PROSUMERS TO THE 1ST RESPONDENT.
- Exhibit P5 TRUE COPY OF THE EMAIL DATED 23.02.2026 SENT BY ONE OF THE PROSUMERS TO THE 3RD RESPONDENT.
- Exhibit P6 TRUE COPY OF THE INFORMATION NUMBERED AS AG(AU-II)/APCC/ RTI/25-44/2025-2026/400 DATED 23.02.2026 ISSUED BY THE CENTRAL PUBLIC INFORMATION OFFICER OF THE OFFICE OF THE ACCOUNTANT GENERAL (AUDIT - II), KERALA AS REPLY TO THE RTI APPLICATION.
- Exhibit P7 TRUE COPY OF THE INSPECTION REPORT IN THE AUDIT OF ACCOUNTS OF KERALA STATE ELECTRICITY REGULATORY COMMISSION FOR THE PERIOD 2019-2022 OF THE RESIDENT AUDIT OFFICER/ECA.
- Exhibit P8 TRUE COPY OF THE SEPARATE AUDIT REPORT DATED 29.11.2024 IN THE AUDIT OF ACCOUNTS OF KERALA STATE ELECTRICITY REGULATORY COMMISSION FOR THE PERIOD 2022-2023 TO 2024 -2025 ISSUED BY THE DEPUTY ACCOUNTANT GENERAL (AMG - II).
- Exhibit P9 TRUE COPY OF THE EMAIL DATED 25.02.2026 SENT BY ONE OF THE PROSUMERS TO THE 3RD RESPONDENT.



- Exhibit P10 TRUE COPY OF THE EMAIL DATED 06.03.2026 SENT BY ONE OF THE PROSUMERS TO THE CHAIRMAN APTEL, NEW DELHI.
- Exhibit P11 TRUE COPY OF THE EMAIL DATED 06.03.2026 SENT BY ONE OF THE PROSUMERS TO THE CHIEF SECRETARY, GOVERNMENT OF KERALA AND THE POWER SECRETARY.
- Exhibit P12 TRUE COPY OF THE PUBLIC REPRESENTATION AND DRAFT THE ARTICLES OF CHARGE AND STATEMENT OF IMPUTATIONS PREFERRED BY ONE OF THE PROSUMERS TO THE CHIEF SECRETARY, GOVERNMENT OF KERALA AND THE POWER SECRETARY.
- Exhibit P13 TRUE COPY THE EMAIL DATED 27.03.2026 SENT BY ONE OF THE PROSUMERS TO THE 3RD RESPONDENT.
- Exhibit P14 TRUE COPY OF THE EMAIL DATED 31.03.2026 SENT BY ONE OF THE PROSUMERS TO THE 3RD RESPONDENT.
- Exhibit P15 TRUE COPY OF THE RTI REPLY DATED 20.02.2026 ISSUED BY THE PUBLIC INFORMATION OFFICER OF THE 3RD RESPONDENT.
- Exhibit P16 TRUE COPY OF THE RTI REPLY RECEIVED DATED 31.03.2026 ISSUED BY THE PUBLIC INFORMATION OFFICER OF THE 3RD RESPONDENT.
- Exhibit P17 TRUE COPY OF THE RTI REPLY DATED 25.09.2025 ISSUED BY THE PUBLIC INFORMATION OFFICER OF THE 3RD RESPONDENT.
- Exhibit P18 TRUE COPY OF THE ORDER PASSED BY THE 3RD RESPONDENT DATED 21.05.2026.