

## **THE STATE ELECTRICITY OMBUDSMAN**

D.H. Road & Foreshore Road Junction, Near Gandhi Square,

Ernakulam, Kerala-682 016

Ph: 0484 2346488, Mob: 8714356488

Email: [ombudsman.electricity@gmail.com](mailto:ombudsman.electricity@gmail.com)

---

### **Review Petition No. RP/02/2026 (Present A. Chandrakumaran Nair) Dated: 16-04-2026**

Review Appellant : Sri. P. R. Gireesan, Director,  
M/s. New Woodlands Hotel,  
M.G. Road, Ernakulam- 682011

Review Respondent : 1. The Special Officer (Revenue)  
Vydyuthibhavanam,  
KSEBL, Pattom,  
Thiruvananthapuram dt.- 695004

2. The Deputy Chief Engineer,  
Electrical Circle, KSEBL,  
Ernakulam, Ernakulam dt.

## **ORDER**

### **Background of the Review Petition**

The review appellant Sri. P. R. Gireesan is the partner of M/s. Woodlands Hotel, Ernakulam and this hotel is an HT Consumer of KSEBL. The review appellant had sold the premises on 18/11/2022. The appellant had requested to the Licensee to terminate his agreement and refund the security deposit. The Security deposit amount was Rs.4,51,540/-. There is a case in the Hon'ble High Court of Kerala vide WP(C)/30977/2010 between the appellant and the Licensee challenging the quantum of electricity duty levied by the licensee. The final Order has not been issued by the Hon'ble High Court. The new owner has applied for transferring the connection to them. The petition was heard by the Electricity Ombudsman as petition number P/076/2025 as the appeal against the Order of CGRF the petition OP/47/25-26. The Order of the Ombudsman was issued on 24/02/2026 stating that the Licensee has to take necessary action to transfer the Connection, the agreement between the appellant and the licensee is to be terminated on transferring the connection. The security deposit is to be refunded subject to the final Order of Hon'ble High Court of Kerala in

the petition WP(C)/30977/2010 and the appellant is eligible for the interest for the security deposit with effect from 1/2023. The appellant has filed this petition to review the decision of the Ombudsman in the Order dated 24/02/2026 of appeal petition P/076/2025.

## **Arguments of the Review Appellant**

Order in Interest on Security Deposit not only post Jan 2023, but also for all the years post 2012, where in they have not provided us the Interest. This relief has been sought in our submissions and not as erroneously reflected in the order.

Reconsider the decision to refund security deposit, awaiting the final order of the Hon'ble High Court of Kerala in petition WP(C)/30977/2010, considering the below aspects as already stated in our submissions. The Principal Outstanding Disputed Electricity Duty amount itself cannot be determined, as per the CGRF order, due to the pending High Court case. Thus, seeking Security Deposit and holding back any amount towards the same, is untenable, as no security amount can be sought or retained, when even Re 1/- of the disputed amount cannot be determined as such. It is gross injustice to us, where in our disagreement towards KSEB's claimed and alleged Disputed Electricity Principal amount cannot be determined and resolved, and yet at the same time, KSEB is entitled to retain any amount they deem fit towards such allegedly disputed amount. There exists an interim order towards Electricity Duty, whereby there is a clear establishment of the actual liability we have towards Electricity Duty. Any further amount being sought is a wishful amount per say. At no point of time KSEB has sought additional security deposit from us or from any other hotels who are party to the Hon'ble High Court case referred, Thus, retaining any amount towards Security Deposit us untenable.

## **Arguments of the Review Respondent**

Sri. PR Gireesan. M/s. New Woodlands Hotels (LCN:9/820), Ernakulam, in his review petition against the final order dated 24.02.2026 of the Hon'ble State Electricity Ombudsman in the AP No. P076/2025, has requested that interest be provided on security deposit for the years post 2012. In this regard this office has already taken necessary actions to comply with the Final order No. P/076/2025/02535 dated 24.02.2026 of the Hon'ble State Electricity Ombudsman. A legal opinion has been sought from the Legal Advisor & Disciplinary Enquiry Officer, KSEBL, for further action on this matter. In accordance with the legal opinion obtained, interest on the Security Deposit is payable to the consumer with effect from 2012, being the year in which the interest became due.

The petitioner, in the above said petition, has also requested reconsideration of the decision ordered by Hon'ble State Electricity Ombudsman in the final order, wherein the refund of Security refund is made subjected to the final order of the

Hon'ble High Court Of kerala in the petition WP(C) No.30977/2010. The Board is also of the view that, the petitioner has electricity duty arrears amounting to Rs.6,84,830/- (Principal amount only) which is under dispute before the Hon'ble High Court Of Kerala, in W.P.(C) No.30977/2010. The refund of Security Deposit can be effected only subject to the final order in the said writ petition pending before the Hon'ble High Court Of Kerala.

It is also brought to the attention of Hon'ble Forum that the petitioner has recently approached the Hon'ble CGRF, Ernakulam. The Hon'ble CGRF, Ernakulam, in its final order No. CGRF-CR/OP No.81/2025-26 dated 18.03.2026, disposed the petition, observing that, adjudication of the present grievance at this stage may result in parallel examination of the matters which are directly or indirectly connected with the issues pending before the Hon'ble High Court Of Kerala.

The review petitioner firm (LCN 9/820) having contract demand of 100 KVA and connected load of 130.106 kW has been remitting electricity duty at 10 paisa per unit since 9/2012 after filing WP(C) No.30977/2010 before the Hon'ble High Court of Kerala, instead of 10% duty per energy charge in the monthly bill.

Reliably the review petitioner firm was sold to Sri.Shibu and Sri. Gopalakrishnan on 18.11.2022. But the review petitioner had not intimated KSEBL the transfer of property/connection then itself in line with Regulation 41(2) of the Code 2014. When the buyers understood about the aforementioned case, one of the buyers of the firm has filed WP(C) No. 1364/2023 before the the Hon'ble High Court of Kerala praying that he will not be liable to pay arrears of the firm accrued before the purchase date ie. 18.11.2022.

The matter raised by the review petitioner can not be considered by the Hon'ble Ombudsman, as the matter is subjudice since 2010 before the Kerala Electricity Supply Code, 2014 came into effect on 1.4.2014. The matter in question can be settled only after the outcome of the writ petitions pending before the Hon'ble Court which are related with the review petitioner firm.

For the reasons mentioned above, the Hon'ble Ombudsman may be pleased to dismiss RP 02/2026 and withdraw Order dated 24.2.2026 in Appeal No.P076/2025.

## **Analysis and findings**

The hearing of this review petition was conducted on 10/04/2026 at 02:30 p.m. in the O/o State Electricity Ombudsman. The hearing was attended by the review appellant Sri. P. R. Gireesan and on behalf of the review respondents Sri. Pradeep P, Nodal Officer, KSEB Ernakulam Circle and Smt. Mollyja Lucy Xavier, AEE, ESD, College, Ernakulam.

The appeal petition filed by the appellant bearing no. P/76/2025 as the appeal against the Order of CGRF Order in the petition no. OP/47/25-26 has been heard by the Ombudsman and the Order has been issued dated 24/02/2026. The decisions of the Ombudsman in the above cited Order was

1. Licensee has to take necessary action to transfer the connection to the new owners
2. The appellant has to submit the required documents if any for transferring the connection
3. The agreement with appellant is to be terminated by the Licensee on transferring the connection.
4. The security deposit is to be refunded subject to the final order in the petition WP(C)/30977/2010.
5. The Licensee has to pay interest on the Security deposit regularly with 18% interest per annum with effect from 1/2023.

The review appellant has requested to review the two decisions regarding the effective date for the interest payable on the security deposit and release of security deposit.

### **1. Payment of interest of Security deposit**

The Order of petition P/76/2026 states that the interest was payable with effect from 1/2023. The review appellant states that he is eligible for the interest of the security deposit with effect from 2012. This has been confirmed by the Licensee in their statement. The Licensee has not paid the interest since 2012. Then the statement of review appellant is accepted and is eligible to get the interest with effect from 2012 and also eligible for interest of security deposit as per Regulation 72 of the Supply Code, 2014.

The Regulation 72(3) states that *“If the adjustment of interest is delayed, interest at 12% per annum based on the actual number of days of delay from due date, upto a period of 30 days and thereafter at the rate of 18% per annum for the entire period of default from due date.”*

Here in this case the interest has been delayed more than 30 days and hence 18% interest is payable for the entire period since 2012 and up to 2025-26. There after the interest is payable without interest if paid in time.

### **2. Release of security deposit**

The petition filed in the Hon'ble High Court of Kerala vide WP(C)/30977/2010 is pending and the final Order is not issued. Unless the final Order is issued the quantum of the arrears of the Electricity Duty could not be assessed. The security deposit could be released only on clearing all the dues. As such the security deposit is to be refunded to the appellant subject to the final Order of Hon'ble High Court of Kerala in the petition WP(C)/30977/2010. Then there is no review on this decision.

## **Decision**

The Order P/76/2025 dated 24/02/2026 has been reviewed and the following are the revised decision.

1. No change for the decisions 1,2,3,4,6 and 7 of the Order dated 24/02/2026 of the petition P/76/2025.
2. The decision (5) has been revised as below:  
The appellant is eligible for the interest of the security deposit as per Regulation 72 of the Supply Code, 2014 with effect from **2012**. The appellant is also eligible for the interest @18% per annum for the delayed interest payment as per Regulation 72(3) of the Supply Code, 2014. The interest is to be refunded by cheque or to be credited to the bank account. The interest with effect from 2025-26 are to be released without interest if paid in time.
3. No Other Costs ordered.

**ELECTRICITY OMBUDSMAN**

No. RP/02/2026/\_\_\_\_\_ dated: 16.04.2026

### **Delivered to:**

- 1) Sri. P. R. Gireesan, Director, M/s. New Woodlands Hotel, M.G. Road, Ernakulam 682011
- 2) The SOR, Vydhyuthibhavanam, KSEB Ltd., Pattom, Thiruvananthapuram dt.
- 3) The Deputy Chief Engineer, Electrical Circle, KSE Board Ltd., Ernakulam, Ernakulam dt.

### **Copy to:**

1. The Secretary, Kerala State Electricity Regulatory Commission, KPFC Bhavanam, Vellayambalam, Thiruvananthapuram-10.
2. The Secretary, KSE Board Limited, Vydhyuthi bhavanam, Pattom, Thiruvananthapuram-4.
3. The Chairperson, Consumer Grievance Redressal Forum, 220 kV substation compound, HMT Colony P.O, Kalamassery - 683503