

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.**

Monday, the 10th day of November 2025 / 19th Karthika, 1947

WP(C) NO. 39797 OF 2025

PETITIONERS:

1. DOMESTIC ON-GRID SOLAR POWER PROSUMERS FORUM-KERALA, TC 43/40, KUTTIVILAKAM HOUSE, MANACADU, THIRUVANANTHAPURAM, REPRESENTED BY ITS PRESIDENT - M ABDUL SATHAR, PIN-695009
2. M ABDUL SATHAR, AGED 58 YEARS S/O LATE MR. MAITHEENKUNJU, HIRA, HOUSE NO. 56, ROYAL ENCLAVE, HRA LANE NO. 3, THIRUVALLAM, THIRUVANANTHAPURAM, PIN-695027

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY ADDL CHIEF SECRETARY, DEPARTMENT OF POWER & ENERGY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN-695001
2. KERALA STATE ELECTRICITY REGULATORY COMMISSION, REPRESENTED BY IT'S SECRETARY, KPFC BHAVANAM, C.V. RAMAN PILLAI ROAD, VELLAYAMBALAM, THIRUVANANTHAPURAM, PIN-695010
3. KERALA STATE ELECTRICITY BOARD LIMITED, REPRESENTED BY IT'S CHAIRMAN & MANAGING DIRECTOR VAIDHYUTHI BHAVANAM, PATTOM, THIRUVANANTHAPURAM, PIN-695004
4. CENTRAL BUREAU OF INVESTIGATION, REPRESENTED BY ITS DIRECTOR PLOT NO 5-B, CGO COMPLEX, LODHI ROAD, NEW DELHI, PIN-110003
5. T.K. JOSE, AGED 67 YEARS CHAIRMAN, KSERC, KPFC BHAVANAM, C.V. RAMAN PILLAI ROAD, VELLAYAMBALAM, THIRUVANANTHAPURAM, PIN-695010
6. A. J. WILSON, AGED 60 YEARS MEMBER (LAW), KSERC, KPFC BHAVANAM, C.V. RAMAN PILLAI ROAD, VELLAYAMBALAM, THIRUVANANTHAPURAM, PIN-695010
7. B. PRADEEP, AGED 63 YEARS MEMBER (TECHNICAL), KSERC, KPFC BHAVANAM, C.V. RAMAN PILLAI ROAD, VELLAYAMBALAM, THIRUVANANTHAPURAM, PIN-695010

Writ Petition (Civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to stay all further proceedings, deliberations, and decision-making processes relating to the framing, finalization, or notification of the kerala state electricity regulatory commission (renewable energy and net metering) regulations, 2025, as being vitiated by wilful and deliberate fraud and conflict of interest involving the respondent nos. 2, 3, 5, 6 & 7.

This petition coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S. AYSHA ABRAHAM, ADOLPHIN MAMACHAN & REJI JOHN KALLELY, Advocates for the petitioners the court passed the following:



MOHAMMED NIAS C.P., J.

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Dated this the 10th day of November, 2025

ORDER

1. Read the order of this Court dated 03.11.2025.

2. Read the order of the Division Bench dated 06.11.2025.

3. It is submitted that after the orders passed by this Court on 03.11.2025, the Regulatory Commission issued Kerala State Electricity Regulatory Commission (Renewable Energy and Related Matters) Regulations, 2025, on 05.11.2025.

4. During the hearing of the writ petition on 03.11.2025, the learned Senior Advocate appearing for the Regulatory Commission, on instructions, had submitted that the Regulatory Commission would issue any notification only after duly considering the objections raised in the course of the public hearing,

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which may require approximately one month.

5. Since the matter is now directed to be heard by this Court, there shall be a direction to respondents 1 to 3 to file counter affidavits meeting the grounds/allegations raised in the writ petition, to enable this Court to consider the legality and validity of the regulations dated 05.11.2025.

6. In the interregnum, the operation, implementation/ enforcement and all further proceedings pursuant to the notification dated 05.11.2025 will stand stayed for a period of one month.

Post on 01.12.2025.

Sd/-
MOHAMMED NIAS C.P.
JUDGE

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APPENDIX OF WP(C) 39797/2025

Exhibit P1	THE TRUE COPY OF THE AUTHORIZATION LETTER DATED 19.10.2025 ISSUED BY DOMESTIC ON-GRID SOLAR POWER PROSUMERS FORUM-KERALA
Exhibit P2	A COPY OF THE ORDER DATED 28.07.2025 OF THIS HON'BLE COURT IN W.P. (PIL) 79/2025
Exhibit P3	A COPY OF THE ORDER DATED 06.10.2025 OF THE HON'BLE SUPREME COURT IN SPECIAL LEAVE TO APPEAL (C) NO. 26862 OF 2025
Exhibit P4	A COPY OF THE STORY PUBLISHED IN SEPTEMBER 2025 EDITION OF TOWN EXPRESS MAGAZINE
Exhibit P5	THE TRUE COPY OF THE LETTER DATED 04.06.2022 BY PAUL ANTONY
Exhibit P6	THE TRUE COPY OF THE LETTER DATED 16.07.2022 OF CMD OF 3RD RESPONDENT TO THE 1ST RESPONDENT
Exhibit P7	THE TRUE COPY OF THE ORDER IN OP NO. 5 OF 2021 OF KSERC DATED 10.05.2023
Exhibit P8	A TRUE COPY OF THE NOTICE DATED 30.05.2025 WITH THE DRAFT REGULATIONS 2025
Exhibit P9	THE TRUE COPY OF THE PROCEEDINGS OF THE SECRETARY OF KERALA STATE ELECTRICITY REGULATORY COMMISSION NO. 3228/CON. ENGG/2023/KSERC DATED 12.08.2024 ALONG WITH TYPED COPY
Exhibit P10	THE TRUE COPY OF THE RTI APPLICATION DATED 30.06.2025 FILED BY SHRI BLESSAN JOSEPH TO THE 2ND RESPONDENT
Exhibit P11	A TRUE COPY OF THE REPLY DATED 08.07.2025 ISSUED BY THE PUBLIC INFORMATION OFFICER OF THE RESPONDENT NO.2
Exhibit P12	A TRUE COPY OF THE KERALA STATE ELECTRICITY REGULATORY COMMISSION (RENEWABLE ENERGY AND RELATED MATTERS) REGULATIONS, 2025 PUBLISHED IN THE KERALA GAZETTE DATED 6 NOVEMBER 2025