

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

Con.Case(C).No. 218 of 2015 (S)

AGAINST THE INTERIM ORDER IN W.P.(C).NO.2381/2015, DATED 23.01.2015

PETITIONER(S)/PETITIONER:

**THOMAS STEPHEN, AGED 46 YEARS,
S/O. ALLES STEPHEN, SOLE PROPRIETOR,
GABRIELA ROSE INTERNATIONAL, K. MALL,
KOLLAM AND RESIDING AT GRACE BHAVAN, MUNDAKKAL EAST,
KOLLAM.**

BY ADV. SRI.SUNNY ZACHARIAH

RESPONDENT(S)/2ND RESPONDENT :

**BEENA PIOUS,
AGE AND SPOUSE NAME NOT KNOWN, EXECUTIVE ENGINEER,
KSEB, CANTONMENT SECTION, KOLLAM - 691 001**

BY ADV.SRI.SAJEEVKUMAR K.GOPAL, S.C

**THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 03-03-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

- ANNEXURE 1:** CERTIFIED COPY OF THE INTERIM ORDER IN W.P.(C).NO.2381/2015.
- ANNEXURE 2:** TRUE COPY OF EXHIBIT P-1 IN W.P.(C).NO.2381/2015 (TRUE COPY OF THE ORDER OF THE ACCOMMODATION CONTROLLER).
- ANNEXURE 3:** TRUE COPY OF EXHIBIT P-1 IN W.P.(C).NO.2381/2015. (TRUE COPY OF THE REPRESENTATION BEFORE THE RESPONDENT).
- ANNEXURE 4:** TRUE COPY OF INTIMATION BY THE RESPONDENT TO THE PETITIONER DATED 19.12.2014.
- ANNEXURE 4(A):** RELATIVE POSTAL ENVELOPE OF ANNEX.3.

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.R. RAMACHANDRA MENON, J.

.....
Cont. Case (C)No.218 OF 2015

.....
Dated this the 3rd day of March, 2015

J U D G M E N T

The grievance of the petitioner is regarding the non-compliance of the direction given by this Court as per the interim order dated 23.01.2015 in W.P.(C) No.2381/2015.

2. The learned Standing Counsel for the K.S.E.B, appears for the respondent and submits that re-connection has already been given to the premises and the direction has been complied with. The learned counsel also points out that there is absolutely no laches or failure on the part of the respondent in giving effect to the said order, and that the delay occurred was only because of the stand taken by the landlord of the premises, who refused to act upon the request made by the Board to provide access to the premises so as to comply with the direction. The factual position has already been brought to the notice of this Court by

filing necessary proceedings in the writ petition and that pursuant to the intervention made by this Court, the landlord yielded to their demand and power supply has been restored.

In the above circumstances, this Court does not find it necessary to proceed with the contempt case. The contempt matter stands closed.

Sd/-
P.R.RAMACHANDRA MENON
JUDGE

//true copy//

P.S. To Judge

St/-