

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYAISHTA, 1937

WP(C).No. 3053 of 2015 (F)

PETITIONER(S):

**ANITHA D., AGED 43 YEARS,
W/O.SANTHOSH, AKSHAYA CODE NO. KL 127,
BUILDING NO.KP 11/86, KALLUVATHUKKAL GRAMA PANCHAYAT
SHOPPING COMPLEX, PARIPPILLY P.O, KOLLAM DISTRICT-691 574,
RESIDING AT BANGLAVIL VEEDU, PUTHENKULAM CHERRY,
POOTHAKULAM VILLAGE, PUTHENKULAM P.O., KOLLAM TALUK,
KOLLAM DISTRICT.**

**BY ADVS.SRI.K.S.BABU
SMT.N.SUDHA
SRI.BABU SHANKAR
SRI.K.S.GOPI
SRI.K.V.WINSTON**

RESPONDENT(S) :

- 1. KALLUVATHUKKAL GRAMA PANCHAYAT (SPECIAL GRADE),
KALLUVATHUKKAL P.O., KOLLAM-691 578,
REPRESENTED BY ITS SECRETARY.**
- 2. THE PRESIDENT,
KALLUVATHUKKAL GRAMA PANCHAYAT (SPECIAL GRADE),
KALLUVATHUKKAL P.O., KOLLAM-691 578.**
- 3. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO
THE LOCAL SELF GOVERNMENT INSTITUTIONS,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 4. T.K.BHASKARAN, AGED 50 YEARS,
S/O.KARUNAKARAN, RESIDING AT SOOCHIKKAZHIKOM VEEDU,
KONGAL CHERRY, KOTTAPPURAM VILLAGE, PARAVUR,
KOLLAM TALUK, KOLLAM DISTRICT, PIN- 691 301.**

**R1 & R2 BY ADV. SRI.G.BHAGAVAT SINGH
R3 BY GOVERNMENT PLEADER SRI.T.R.RAJESH**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 11-06-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE PHOTOSTAT COPY OF THE CERTIFICATE DATED 15.07.2006
ISSUED BY THE ASSISTANT DISTRICT CO-ORDINATOR.**

**EXHIBIT P2: TRUE PHOTOSTAT COPY OF THE AGREEMENT WRITTEN ON
STAMP PAPER NO.2937 DATED 23.05.2011.**

**EXHIBIT P2(A): TRUE PHOTOSTAT COPY OF THE TRANSLATED COPY
THE AGREEMENT WRITTEN ON STAMP PAPER NO.2937
DATED 23.05.2011.**

**EXHIBIT P3: TRUE PHOTOSTAT COPY OF THE NOTICE REGARDING
THE INAUGURATION OF THE AKSHAYA CENTER.**

**EXHIBIT P4: TRUE PHOTOSTAT COPY OF BILL NO.0752274 ISSUED BY
THE KSEB AT PARIPPALLY TO CONSUMER NO.3929 FOR RS.6,137/-**

**EXHIBIT P5: TRUE PHOTOSTAT COPY OF THE BILL DATED 21.11.2013 ISSUED
FROM THE KSEB TO CONSUMER NO.3929.**

**EXHIBIT P6: TRUE PHOTOSTAT COPY OF BILL DATED 21.01.2014 ISSUED FROM
THE KSEB TO CONSUMER NO.3929.**

**EXHIBIT P7: TRUE PHOTOSTAT COPY OF THE REPRESENTATION SUBMITTED
BY THE PETITIONER ON 17.01.2014.**

**EXHIBIT P7(A): TRUE PHOTOSTAT COPY OF TRANSLATED COPY OF
THE REPRESENTATION SUBMITTED BY THE PETITIONER
ON 17.01.2014.**

EXHIBIT P8: TRUE PHOTOSTAT COPY OF RECEIPT OF ACKNOWLEDGMENT.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.3053 of 2015

Dated this the 11th day of June, 2015.

JUDGMENT

The petitioner has approached this Court, alleging inaction on the part of respondents 1 and 2 in considering Ext.P7 presentation.

2. The petitioner is an Akshaya project enterprenour having central code No.KL 127. Akshaya center was initially functioning near Parippally junction in Kalluvathukkal Grama Panchayat (Special Grade). The petitioner alleges that she has given employment directly to 4 ladies. The petitioner had shifted the Akshaya center to room No.KP XIII/338 owned by the first respondent and leased out to the fourth respondent with the consent and connivance of the first and second respondents; it is alleged. The petitioner is paying the electricity consumption charges to the Kerala State Electricity Board along with occupants of nearby rooms. Some disputes arose between the occupants regarding the payment of consumption charges of electricity. Hence the petitioner

submitted Ext.P7 representation to respondents 1 and 2 requesting them to install a separate metre to the room occupied by her. But they did not take any action on Ext.P7.

3. I have heard the learned counsel for the petitioner and the learned counsel for the respondent Panchayath in the matter.

As the limited prayer in this writ petition is for a direction to respondents 1 and 2 to consider and pass appropriate orders on Ext.P7, the writ petition is disposed of directing respondents 1 and 2 to consider and pass appropriate orders on Ext.P7, after affording the petitioner and the affected parties, if any, an opportunity of being heard. This shall be done within a period of three weeks from the date of receipt of a copy of this judgment. To facilitate an early action, it shall be open to the petitioner to produce a copy of the writ petition as well as the copy of this judgment before the respondent 1 and 2 at the earliest.

Sd/-

A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.