

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYASHTA, 1937

WP(C).No. 10869 of 2015 (G)

PETITIONER(S):

K.M.SAMUEL, AGED 75 YEARS
S/O.K.M.MATHEW, KALLUMPURATHU HOUSE, MANGARAM
KONNI, PATHANAMTHITTA, PIN 689691.

BY ADVS.SRI.GEORGE ABRAHAM PACHAYIL
SMT.JEBI MATHER HISHAM

RESPONDENT(S):

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1. DISTRICT COLLECTOR
PATHANAMTHITTA-689645.
 2. THE EXECUTIVE ENGINEER
KERALA STATE ELECTRICITY BOARD
ELECTRICAL SUB DIVISION, PATHANAMTHITTA-689645.
 3. THE ASSISTANT ENGINEER
KERALA STATE ELECTRICITY BOARD
ELECTRICAL SECTION OFFICE, KONNI
PATHANAMTHITTA-689691.

R BY SR.GOVERNMENT PLEADER SRI.GIKKU JACOB.
R BY SRI.SAJEEVKUMAR K.GOPAL,SC,KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
25-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: OWNERSHIP CERTIFICATE OF THE BUILDING TO WHICH ELECTRIC CONNECTION IS APPLIED FOR. CERTIFICATE ISSUED BY THE SECRETARY OF KONNI GRAMA PANCHAYAT DATED 28/2/2008.

EXHIBIT-P2: APPLICATION FOR ELECTRIC CONNECTION FILED BY THE PETITIONER BEFORE THE KSEB AUHORITIES VIDE NO.141487, DATED 24/11/2009.

EXHIBIT-P3: INTERIM INJUNCTION ORDER PASSED BY THE HON'BLE MUNSIFF'S COURT PATHANAMTHITTA IN O.S.12/2010 DATED 14/10/2010.

EXHIBIT-P4: SALE DEED EXECUTED BETWEEN THE PETITIONER AND ONE MR.PANEER SELVAM IN 16/07/2009, WHEREIN PETITIONER'S RIGHT OVER THE PATH WAY IS RESERVED.

EXHIBIT-P5: RECEIPT NO.64848 ISSUED BY THE KSEB BY ACKNOWLEDGING THE PAYMENT OF APPLICATION FEES OF RS.50/- DATED 24.11.2009.

EXHIBIT-P6: RECEIPT NO.624191 ISSUED ACKNOWLEDGING THE PAYMENT OF CD CHARGE OF RS.900/- DATED 19/09/2013.

EXHIBIT-P7: RECEIPT NO.624209 ISSUED ACKNOWLEDGING THE PAYMENT OF SPECIAL CD CHARGE OF RS.900/- DATED 19/09/2013.

EXHIBIT-P8: RECEIPT NO.624192 ISSUED ACKNOWLEDGING THE PAYMENT OF OYEC CHARGE OF RS.15,000/- DATED 19/09/2013.

EXHIBIT-P9(1): THE REPORT FILED BY THE ASSISTANT EXECUTIVE ENGINEER, KSEB ELECTRICAL SUB DIVISION, PATHANAMTHITTA, AND FILED BEFORE THE DISTRICT COLLECTOR, PATHANAMTHITTA DATED 30/10/2013

EXHIBIT-P9(2): SKETCH PREPARED BY THE OFFICE OF THE ASSISTANT EXECUTIVE ENGINEER, KSEB ELECTRICAL SUB DIVISION, PATHANAMTHITTA WHICH IS ANNEXED TO EXT.P9(1)

EXHIBIT-P10: THE REPORT OF THE TAHSILDAR, KONNI TALUK, FILED BEFORE THE DISTRICT COLLECTOR DATED 24/7/2014.

EXHIBIT-P11: REPORT FILED BY THE KONNI VILLAGE OFFICER TO THE KONNI TAHSILDAR DATED 17.7.2014

EXHIBIT-P12: SITE MAP PREPARED BY THE VILLAGE OFFICE KONNI AND IS PRESENTED TO THE DISTRICT COLLECTOR IS PRODUCED.

EXHIBIT-P13: REMINDER LETTER/PETITION FILED BEFORE DISTRICT COLLECTOR, PATHANAMTHITTA TO TAKE NECESSARY STEPS TO GIVE ELECTRIC CONNECTION TO THE PETITIONER. (PETITION NO.19718/3/14). DATED 27.05.2014.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.10869 of 2015

Dated this the 25th day of May, 2015

J U D G M E N T

The matter is engaging the attention of the Additional District Magistrate under Section 16 of the Indian Telegraph Act. It is reported that a site inspection and hearing has already been conducted.

2. Every endeavour shall be made to pass final orders by the Additional District Magistrate within a period of one month. It is up to the parties to produce the relevant documents before the Additional District Magistrate within two weeks.

3. The question of granting electricity connection depends on the orders to be passed by the Additional District Magistrate. The third respondent shall take follow up action in disposal of Ext.P2 application filed by the petitioner.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

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