

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

FRIDAY, THE 27TH DAY OF FEBRUARY 2015/8TH PHALGUNA, 1936

WP(C).No.15641 of 2011 (E)

PETITIONER :

JILSA BEGUM,
CHAROORETHU VADAKKATHIL,
ERUMAKUZH, NOORANAD P.O., MAVELIKKARA.

BY ADVS.SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP

RESPONDENTS :

1. KERALA STATE ELECTRICITY BOARD,
REP.BY ITS SECRETARY, VIDHUTHA BHAVAN,
THIRUVANANTHAPURAM-695001.
2. ADDITIONAL DISTRICT MAGISTRATE,
ALAPPUZHA-688001.
3. ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, K.S.E.B., KAYAMKULAM-690502.
4. HAFSAMMA, CHARUVILAYYATH,
ERUMAKUZH, NOORANAD P.O., MAVELIKKARA-690504.

R1& R3 BY SRI.SAJEEV KUMAR K.GOPAL, SC, KSEB
R4 BY ADV. SRI.K.SIVAKUMAR
R BY SRI.P.P.THAJUDEEN, SC, K.S.E.B

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
27-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :-

- EXT.P1 : COPY OF SALE DEED NO.1155 OF SUB REGISTRY NOORANAD, EXECUTED ON 17.5.2004.
- EXT.P2 : COPY OF COMMISSIONER REPORT IN OS.No.401/03.
- EXT.P3 : COPY OF OBJECTION FILED BY THE PETITIONER BEFORE THE 2nd RESPONDENT.
- EXT.P4 : COPY OF THE ORDER.
- EXT.P5 : COPY OF ROUGH SKETCH SHOWING THE LIE OF THE PROPERTY.

RESPONDENTS' EXHIBITS :- NIL.

True copy

P.A to Judge

ANIL K.NARENDRAN, J.

W.P.(C).No.15641 of 2011

Dated this the 27th day of February, 2015

JUDGMENT

This writ petition has been filed seeking a writ of certiorari to quash Ext.P4 order passed by the Additional District Magistrate in exercising his power under Section 16(1) of the Indian Telegraph Act, 1885.

Today, when the case was taken up for final hearing, the learned counsel for the petitioner has submitted that, after the filing of the writ petition, electric line has already been drawn to the residential house of the beneficiary, 4th respondent. Therefore, the learned counsel for the petitioner submits that, this writ petition may be closed without prejudice to the right of the petitioner to move an appropriate application before the official respondents for the shifting of electric line, under Section 17 of the Indian Telegraph Act, 1885.

In such circumstances, reserving the said right of the petitioner this writ petition is closed.

ANIL K.NARENDRAN, JUDGE

skj