

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 29TH DAY OF JUNE 2015/8TH ASHADHA, 1937

WP(C).No. 17295 of 2015 (J)

PETITIONER:

SUNIL SULAIMAN, S/O.SULAIMAN,
VARUTHUNDIL VEEDU, PADINJATTAM KIZHAKU MURI,
SOORANADU P.O., KOLLAM - 690 522.

BY ADVS.SRI.T.M.SUNIL
SRI.GEORGE KURUVILLA(ALAPPUZHA)

RESPONDENTS:

1. THE ASSISTANT EXECUTIVE ENGINEER,
KSEB, SOORANADU NORTH, SOORANADU,
KOLLAM 690 522.

2. MUHAMMAD NAJUMUDEEN,
S/O.KOCHU KUNJU, KAKKAD,
KAKKAKUNNU P.O.,
SOORANADU, KOLLAM 690 522.

BY SRI.SAJEEVKUMAR K.GOPAL,SC,KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 : TRUE COPY OF OWNERSHIP CUM RESIDENCE CERTIFICATE
ISSUED BY THE RESPONDENT DATED 28.03.2015
- EXHIBIT P2 : TRUE COPY OF OWNERSHIP CUM POSSESSION CERTIFICATE
ISSUED BY VILLAGE OFFICE SOORANADU NORTH DATED
28.03.2015
- EXHIBIT P3 : NO OBJECTION CERTIFICATE ISSUED BY RESPONDENT DATED
13.08.2012
- EXHIBIT P4 : TRUE COPY OF THE BILL ISSUED FOR THE TEMPORARY ELECTRIC
CONNECTION DATED 06.05.2015
- EXHIBIT P5 : TRUE COPY OF THE CERTIFICATE OF OWNERSHIP ISSUED BY THE
PANCHAYAT DATED 16.04.2015

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

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Dated this the 29th day of June, 2015

JUDGMENT

There is a rival claim between the petitioner and the second respondent over a narrow strip of land over which the electricity supply line is proposed to be drawn. As to whom the strip of land belongs can be decided in O.S. Nos. 189/2014 and 21/2015 filed by either parties on the file of the court of the Munsiff of Sasthamcotta.

2. The title or possession over the property claimed by either parties need not further delay the electrification of the building adjacent. The Additional District Magistrate is empowered to decide the shortest route along which the electricity supply line can be drawn taking note of the economic viability and the technical feasibility.

3. I direct the first respondent to move the Additional District Magistrate concerned in terms of Section 16 of the Indian Telegraph Act and the Works of Licensees Rules. The Additional District Magistrate shall decide the issue after

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hearing both parties and the permanent electricity supply line with additional meters shall be provided soon after.

4. I make it clear that the drawing of the electricity supply line on the basis of the permission accorded by the Additional District Magistrate will not impair the right of parties in the two suits pending in the court of the Munsiff of Sathamcotta.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd