

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 20TH DAY OF AUGUST 2015/29TH SRAVANA, 1937

W.P.(C).No.17591 of 2015 (Y)

PETITIONER(S):-

OMANA, AGED 52 YEARS,
BEENA BHAVAN, ULIYANADU, KARAMKODU P.O.,
CHATHANNUR, KOLLAM - 691 572.

BY ADV. SRI.G.BHAGAVAT SINGH.

RESPONDENT(S):-

1. THE ASSISTANT ENGINEER,
CHATHANNOOR SECTION, KERALA WATER AUTHORITY,
CHATHANNOOR P.O., KOLLAM - 691 572.
2. PUSHPALATHA,
KUNNUMPURATH VEEDU, ULIYANADU, KARAMKODU P.O.,
CHATHANNOOR, KOLLAM - 691572.

R1 BY STANDING COUNSEL SRI.JOSEPH JOHN.
R2 BY ADV. SRI.SAJU J PANICKER.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
20-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No.17591 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS:-

EXT.P1 - PHOTOCOPY OF SALE DEED NO. 3864/2012 DT. 10.10.12 STANDS
IN THE NAME OF PETITIONER.

EXT.P2 - PHOTOCOPY OF THE ELECTRIC BILL DT. 12.6.14 ISSUED BY THE
KSEB TO THE PETITIONER.

EXT.P3 - PHOTOCOPY OF THE RECEIPT DT. 29.4.15 ISSUED BY
ASSISTANT EXECUTIVE ENGINEER ROAD SUB DIVISION, KOLLAM.

RESPONDENT(S)' EXHIBITS:-

NIL.

Vku/-

[true copy]

K. Vinod Chandran, J

W.P.(C).No.17591 of 2015-Y

Dated this the 20th day of August, 2015

JUDGMENT

The petitioner filed an application for water connection through a pathway as indicated in Exhibit P1, which concededly provides ingress and egress to the petitioner's property covered by Exhibit P1 deed. An objection to such drawing of water connection was raised by the 2nd respondent herein.

2. The 2nd respondent has appeared and filed a counter affidavit, contending that the present effort of the petitioner is to draw water line through another pathway on which the petitioner has no right.

3. Even the learned counsel for the petitioner would submit that her application need be considered only for drawing of water through the pathway as indicated in Exhibit P1, through which pathway she has ingress and egress to her property. In such circumstance, *dehors* the consent of the 2nd respondent, the 1st respondent-Authority shall draw water connection to the petitioner, if it is possible through the pathway as indicated in Exhibit P1.

The writ petition is allowed. No costs.

Sd/-
K.Vinod Chandran
Judge.

vku/-

[true copy]