

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 20TH DAY OF OCTOBER 2015/28TH ASWINA, 1937

WP(C).No. 23901 of 2015 (K)

PETITIONER(S) :

**GANESAN, AGED 48 YEARS,
S/O.MARIAPPAN, 10/1009, M.G.COLONY,
MUNNAR COLONY ROAD, KDH VILLAGE,
DEVIKULAM TALUK, MUNNAR 685 612.**

**BY ADVS.SRI.M.L.SAJEEVAN
SRI.M.N.SANJITH**

RESPONDENT(S) :

- 1. KERALA STATE ELECTRICITY BOARD,
VYDHYUD BHAVAN, THIRUVANANTHAPURAM - 695 001.,
REP.BY ITS SECRETARY.**
- 2. EXECUTIVE ENGINEER
KERALA STATE ELECTRICITY BOARD, DEVIKULAM,
MUNNAR, IDUKKI - 682 612.**
- 3. KANNAN DEVAN HILLS PLANTATION COMPANY (P) LTD.,
REP.BY ITS SENIOR MANAGER, ENGINEERING DEPARTMENT
K.D.H.P. COMPANY LIMITED - 685 612.**

R1 & R2 BY SRI.SAJEEVKUMAR K.GOPAL,SC,KSEB

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

AMV

: 2 :

WP(C).No. 23901 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXT. P1. : COPY OF THE OWNERSHIP CERTIFICATE ISSUED BY MUNNAR
GRAMA PANCHAYAT DATED 25.07.2014.**

**EXT.P2. : COPY OF THE LETTER ISSUED BY RESPONDENT NO.3
DATED 11.08.2014.**

**EXT.P3. : COPY OF THE JUDGMENT OF HIGH COURT OF KERALA IN
WPC.NO.5492 OF 2013 DATED 22.03.2013.**

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

PA.TO JUDGE

AMV

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.23901 of 2015

.....
Dated this the 20th day of October, 2015

J U D G M E N T

The petitioner is aggrieved by the stand of the 3rd respondent, who is a licensee of the 1st respondent for supply of electricity to consumers in Munnar Grama Panchayath, that no electric connection can be given to the petitioner's building No.IX/2174 of KDH village in Devikulam Taluk. The stand of the 1st respondent is premised on the fact that there is an order of status quo passed by the Supreme Court in an appeal filed by the State of Kerala against orders passed by this Court, in which the Supreme Court has directed the maintenance of status quo. I note in this connection that similar matters have come up for consideration before this Court and in W.P.(C).No.29836 of 2013, a single judge of this Court, by judgment dated 16.01.2014, disposed the writ petition directing the respondents to provide electric connection to the petitioner's building on the basis of the application submitted, provided the petitioner satisfies the other eligibility conditions and complies with the necessary procedural formalities. Taking cue from the said judgment, I dispose the present writ petition directing the respondents to provide electric connection to the petitioner's building on the basis of the application submitted by the petitioner provided the petitioner complies with all the

statutory requirements and procedural formalities in connection with the same. If the petitioner is found eligible, in accordance with the statutory provision, for the electric connection, the same shall be provided to the petitioner within a period of two weeks from the date of receipt of a copy of this judgment. It is made clear that, the grant of electric connection to the petitioner will not be construed as pronouncing on the legality of the construction put up by the petitioner and the same will be subject to the result of the proceedings pending before the Supreme Court.

A.K.JAYASANKARAN NAMBIAR
JUDGE