

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

WP(C).No. 24073 of 2015 (H)

PETITIONER:

**RADHA.P.V, W/O.LATE LEKSHMANAN,
AGED 68 YEARS, KRISHNAKRIPA,
THAZHEVEETIL, CHERUMAVILAYI,
P.O MAVILAYI, KANNUR DISTRICT - 670 622.**

**BY ADVS.SRI.C.P.PEETHAMBARAN
SMT.MINI.V.A.**

RESPONDENT(S):

- 1. THE ADDITIONAL DISTRICT MAGISTRATE,
COLLECTORATE, KANNUR.**
- 2. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, CHOVA,
KANNUR DISTRICT.**
- 3. THE ASSISTANT ENGINEER,
ELECTRICAL SECTION,
KERALA STATE ELECTRICITY BOARD,
KARALASSERY, KANNUR.**
- 4. PRADEEPKUMAR C.K, SREEKRISHNA NIVAS,
CHERUMAVILAYI P.O, MAVILAYI,
KANNUR DISTRICT - 670622.**

**R1 BY GOVERNMENT PLEADER SRI.RANJITH
R2 & R3 BY SRI.SAJEEVKUMAR K.GOPAL,SC
R4 BY ADV. SRI.P.K.RAVISANKAR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 27-10-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXHIBIT P1. TRUE COPY OF THE INTIMATION DATED 30.7.15 ALONG WITH ROUGH SKETCH PRODUCED BY THE PETITIONER BEFORE THE PERALASSERY GRAMA PANCHAYATH.
- EXHIBIT P2. TRUE COPY OF THE APPLICATION DATED 22.5.15 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.
- EXHIBIT P3. TRUE COPY OF THE DIRECTION DATED 30.6.15 ISSUED BY THE ELECTRICAL INSPECTOR, KANNUR TO THE 3RD RESPONDENT.
- EXHIBIT P4. TRUE COPY OF THE NOTICE DATED 24.7.15 ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT P5. TRUE COPY OF THE OBJECTION DATED 5.8.15 FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.
- EXHIBIT P6. TRUE COPY OF THE RECEIPT DATED 25.8.2015 ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT P7. TRUE COPY OF THE ORDER DATED 13.8.2015 OF THE 1ST RESPONDENT.
- EXHIBIT P8. TRUE COPY OF THE NOTICE DATED 25.9.2015 ISSUED TO THE PETITIONER.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.24073 of 2015

.....
Dated this the 27th day of October, 2015

J U D G M E N T

The petitioner approached this Court through the present writ petition aggrieved by the steps taken by the respondent Board to draw an electric line for the benefit of the 4th respondent through the property of the petitioner. It is submitted by counsel for the petitioner that during the pendency of the writ petition, the respondents have unilaterally decided to re-route the alignment of the electric line through some other route and accordingly, as of now, there is no proposal to draw a line through the property of the petitioner. The petitioner, however, submits that there is an electric post that is situated in front of the petitioner's property, for the shifting of which the petitioner has already preferred Ext.P2 application before the respondent Board. In view of the changed circumstances, the limited prayer of the petitioner at this stage is for a direction to the 2nd respondent to consider and pass orders on Ext.P2 application for shifting of the electric post.

2. I have heard the learned counsel for the petitioner, learned counsel for the 4th respondent and also the learned Standing counsel for the respondent Board.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with a direction to the 2nd respondent to consider and pass orders on Ext.P2 application preferred by the petitioner within a period of one month from the date of receipt of a copy of this judgment, after hearing the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

