

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

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

WP(C).No. 24232 of 2015 (B)

PETITIONER:

BHARGAVI, VETTUVANTHARA HOUSE,
KOOTTUKADU, VADAKKUMPURAM.P.O. PIN-683521.

BY ADVS.SRI.K.NARAYANAN (PARUR)
SRI.DEEPAK JOY.K.
SRI.B.KRISHNA MANI

RESPONDENTS:

1. ADDITIONAL DISTRICT MAGISTRATE,
CIVIL STATION, COLLECTORATE, KAKKANAD.

2. ASST.EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION,
CHENDAMANGALAM
VADAKKUMPURAM.P.O, PIN-683521.

3. THAHSILDAR, TALUK OFFICE,
NORTH PARAVUR.

4. K.R.MONAHAN, KALATHUNKAL HOUSE,
VADAKKUMPURAM.P.O, PIN-683521.

5. STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM.

R2 BY ADV. SRI.SAJEEVKUMAR K.GOPAL,SC,KSEB
BY SENIOR GOVERNMENT PLEADER SRI. THOMAS JOHN AMBOOKEN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE PETITION FILED BY THE 4TH RESPONDENT BEFORE
 THE 1ST RESPONDENT DATED 18.4.2013
- EXHIBIT P2 TRUE COPY OF THE NOTICE NO M5-73691/13 DATED 07.01.2015 ISSUED BY
 THE 1ST RESPONDENT TO THE PETITIONER
- EXHIBIT P3 TRUE COPY OF THE SAID ORDER NO.M5/73691/2013 DATED 25.07.2015 BY
 THE 1ST RESPONDENT
- EXHIBIT P4 TRUE COPY OF THE COVER SHOWING THE RECEIVED DATE.

RESPONDENT(S)' EXHIBITS

- ANNEXURE R2(a) TRUE COPY OF THE ROUGH SKETCH SHOWING THE LIE AND
 NATURE OF THE PROPERTIES OF THE PETITIONER AND THE 4TH
 RESPONDENT.

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 24232 OF 2015

Dated this the 20th day of August, 2015

JUDGMENT

The petitioner was hitherto fed electricity from post No. VKK 5/1 erected in the property of the fourth respondent. The location of the different posts in the area is given in Ext.R2(a) sketch produced along with the statement of the second respondent. The fourth respondent wanted the posts VKK 5 and VKK 5/1 to be removed from his property. The petitioner is therefore to be fed electricity from post No. VA-9/6A/3.

2. The distance between the post VA-9/6A/3 to the house of the petitioner is only 13 metres. But the distance from the post VKK 5/1 to the house of the petitioner is 17 metres. The fourth respondent has undertaken to bear the expenses for drawing the line to the house of the petitioner. Even the charges for changing the metre of the petitioner has been undertaken to be paid by the fourth respondent.

3. No question of shifting the post or shifting the electricity supply line arises. The petitioner is not in any way

WP(C) No. 24232/2015

affected adversely by the exercise. The route VA-9 to the house of the petitioner is the shortest. There is no necessity to burden the property of the fourth respondent with the line from the post VKK 5 to VKK 5/1.

4. The petitioner is not in any way aggrieved by Ext.P3 order in the circumstances. The Writ Petition is an abuse of process of this court and is liable to be rejected in limine.

The Writ Petition is dismissed. No costs.

**V. CHITAMBARESH
JUDGE**

ncd