

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 21ST DAY OF OCTOBER 2015/29TH ASWINA, 1937

WP(C).No. 28893 of 2015 (J)

PETITIONER(S):

**M.V. VISWANATHAN, AGED 55 YEARS,
S/O. VELAYUDHAN PILLAI, UNIVERSAL WOOD INDUSTRIES,
AP III/440, 441, 442, AZHIKODE PANCHAYATH,
VALAPATTANAM P.O., MILL ROAD, KANNUR - 670 010.**

**BY ADVS.SRI.PRAVEEN K. JOY,
SRI.NIXON PAUL.**

RESPONDENT(S):

- 1. DEPUTY CHIEF ENGINEER,
KERALA STATE ELECTRICITY BOARD,
KANNUR - 670 010.**
- 2. ASSISTANT EXECUTIVE ENGINEER,
KERALA STATE ELECTRICITY BOARD,
AZHIKODE, KANNUR-670 010.**
- 3. ASSISTANT ENGINEER,
KERALA STATE ELECTRICITY BOARD,
AZHIKODE, KANNUR - 670 010.**
- 4. DISTRICT INDUSTRIES CENTRE, KANNUR- 670 010,
REPRESENTED BY ITS GENERAL MANAGER.**
- 5. GENERAL MANAGER AND CONVENER,
GREEN CHANNEL CLEARANCE COMMITTEE,
DISTRICT INDUSTRIES CENTRE, KANNUR - 670 010.**

**R1 TO R3 BY ADV. SRI.SAJEEVKUMAR K.GOPAL, SC.
R4 & R5 BY GOVT. PLEADER SMT.LILLY K.T.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

EXHIBIT-P1- TRUE COPY OF THE TITLE DEED NO. 986/15 OF SRO VALAPATTANAM

**EXHIBIT-P2- TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE
VILLAGE OFFICER, AZHIKODE NORTH VILLAGE**

**EXHIBIT-P3- TRUE COPY OF THE ACKNOWLEDGMENT OF DEPARTMENT OF
INDUSTRIES DATED 17/07/2015.**

**EXHIBIT-P4- TRUE COPY OF THE OWNERSHIP CERTIFICATE OF AZHIKODE GRAMA
PANCHAYATH DATED 02/06/2015.**

**EXHIBIT-P5- TRUE COPY OF THE OWNERSHIP CERTIFICATE OF AZHIKODE GRAMA
PANCHAYATH DATED 02/06/2015.**

**EXHIBIT-P6- TRUE COPY OF THE OWNERSHIP CERTIFICATE OF AZHIKODE GRAMA
PANCHAYATH DATED 02/06/2015.**

**EXHIBIT-P7- TRUE COPY OF THE DIRECTION DATED 20/07/2015 OF
THE 5TH RESPONDENT.**

EXHIBIT-P8-TRUE COPY OF THE REPRESENTATION BEFORE RESPONDENTS 1 TO 3.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No.28893 of 2015

Dated this the 21st day of October, 2015

JUDGMENT

The petitioner, who had purchased the property belonging to Universal Wood Industry, which was doing business in Block board plywood and flesh door, approached the respondents for restoration of the electricity connection which is granted, in his name. The grievance in the writ petition is essentially that while the petitioner has taken steps to change the license issued to the erstwhile industry to the name of the petitioner as also the building number issued to the building in the name of the petitioner, the respondents were not inclined to transfer the electricity connection unit in the name of the petitioner.

2. I have heard the learned counsel appearing for the petitioner as also the learned Standing Counsel appearing for the respondents. The learned Standing Counsel for the respondents would submit on instruction that the electricity connection that is granted to the erstwhile builders in Universal Wood Industry was since disconnected and the erstwhile owners had taken the security deposit from the respondent board, it is submitted that under the said circumstances, the petitioner would have to apply for a fresh

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connection, if he desires to have an electricity connection to the premises that he now owns. Taking note of the submission of counsel for the respondent board, I find that the prayer sought for in the writ petition cannot be granted. Accordingly, I dispose the writ petition with the following directions:

- (i) If the petitioner prefers an application for grant of fresh electricity connection to the premises owned by him, within a period of one week from today, after complying with the necessary statutory formalities for obtaining the same, then the respondent board shall consider the application and grant the electricity connection, if the petitioners found to satisfy all the statutory requirements for grant of electricity connection.
- (ii) The respondent board shall endeavor to grant the electricity connection to the petitioner within a period of two weeks from the date on which the petitioner complies with the statutory conditions.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**