

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 4TH DAY OF NOVEMBER 2015/13TH KARTHIKA, 1937

WP(C).No. 30173 of 2015 (V)

PETITIONER(S) :

**ANANTHAPADMANABHAN, AGED 9 YEARS (MINOR),
REPRESENTED BY HIS FATHER & NATURAL GUARDIAN,
GOPALAKRISHNAN 'ASWATHI VILASAM',
ASRAMAM WARD, AVALOOKKUNNU P.O., ALAPUZHA- 6.**

BY ADV. SRI.A.KRISHNAN

RESPONDENT(S) :

- 1. KERALA STATE,
REPRESENTED BY THE CHIEF SECRETARY,
THIRUVANANTHAPURAM- 695 001.**
- 2. ASSISTANT EXECUTIVE ENGINEER,
K.S.E.B ELECTRICAL SUB.DIVISION, PEYAD,
THIRUVANANTHAPURAM- 695 573.**
- 3. ADDITIONAL DISTRICT MAGISTRATE,
THIRUVANANTHAPURAM- 695 001.**
- 4. S.JAYIS, PLAYIKONAM, PUTHUVAL,
PUTHEN VEEDU, ARYANAD P.O.,
THIRUVANANTHAPURAM- 695 542.**
- 5. KAMALAKSHI,
VLAKAYIKONAM, PUTHUVAL PUTHEN VEEDU, ERAVOOR,
ARYANAD P.O., THIRUVANANTHAPURAM- 695 542.**
- 6. LALITHAI,
VLAKAYILKONAM, PUTHUVAL PUTHEN VEEDU, ERAVOOR,
ARYANAD P.O., THIRUVANANTHAPURAM- 695 542.**

**R1 & R3 BY GOVERNMENT PLEADER SMT.LILLY.K.T
R2 BY ADV. SRI.SAJEEVKUMAR K.GOPAL, S.C
R4 & R6 BY ADV. SRI.A.S.SHAMMY RAJ**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-11-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

WP(C).No. 30173 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS :

**P1: TRUE COPY OF THE REGISTERED WILL NO.21/2009 DATED 13/04/2009 OF
THE S.R.O, ARYANAD, TRIVANDRUM DISTRICT.**

**P2: TRUE COPY OF APPLICATION DATED 01/07/2015 FILED BEFORE
THE 3RD RESPONDENT BY 2ND RESPONDENT.**

**P2(A): TRUE COPY OF SKETCH FILED BEFORE THE 3RD RESPONDENT BY
2ND RESPONDENT.**

**P3: TRUE COPY OF THE ORDER OF THE 3RD RESPONDENT
DATED 08/09/2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

PA.TO JUDGE.

Msd.

A.K.JAYASANKARAN NAMBIAR, J.
.....
W.P.(C).No.30173 of 2015
.....
Dated this the 4th day of November, 2015

J U D G M E N T

The petitioner, who is a minor, represented through his father and natural guardian, is aggrieved by Ext.P3 order that was passed by the 3rd respondent, granting permission to the 2nd respondent to draw an electric line, inter alia, through the property of the petitioner, for giving electric connection to the respondents 4 to 6. The grievance of the petitioner in the writ petition is essentially that before passing Ext.P3 order, the petitioner was not heard by the 3rd respondent.

2. I have heard the learned counsel for the petitioner, the learned Standing counsel for the respondent Board, the learned counsel for respondents 4 to 6 and also the learned Government Pleader for the 3rd respondent.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar and finding that, the 3rd respondent has not heard the petitioner through whose property also the electric line was directed to be drawn for the purposes of giving electric connection to respondents 4 to 6, I quash Ext.P3 order and direct the 3rd respondent to reconsider the

matter and pass fresh orders after hearing the petitioner and all the affected parties. The 3rd respondent shall pass fresh orders as directed within a period of one month from the date of receipt of a copy of this judgment.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns/04.11.15

