

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 19361

WP(C).No. 33961 of 2011 (U)

PETITIONER:

**P.KHADER, S/O.UNNIMOIDEEN,
PANTHAPADAN HOUSE, CHEMBOTHUMPOYIL, VELLUMBRAM
KARAD.P.O., WANDOOD, MALAPPURAM DISTRICT.**

BY ADV. SRI.U.K.DEVIDAS

RESPONDENTS:

- 1. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, K.S.E.B, WANDOOD
MALAPPURAM DISTRICT.679 328.**
- 2. THE ADDITIONAL DISTRICT MAGISTRATE,
MALAPPURAM DISTRICT.676 505.**
- 3. VAZHADAN RADHAMANI,
W/O.UNNIKRISHNAN, CHEMBOTHUMPOYIL, VELLABRAM
KARAD.P.O., WANDOOD, MALAPPURAM DISTRICT.679 339.**

**R1 BY ADVS. SRI.SAJEEVKUMAR K.GOPAL,SC,KSEB
SRI.K.M.SATHYANATHA MENON,SC,KSEB
R2 BY GOVERNMENT PLEADER SRI. P. FAZIL**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
06-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COPY OF THE REVENUE TAX RECEIPTS**
- P2 : COPY OF THE BUILDING TAX RECEIPT OF THE PETITIONER**
- P3 : COPY OF THE NOTICE SENT BY THE SECOND RESPONDENT TO THE PETITIONER**
- P4 : COPY OF THE OBJECTION FILED BY THE PETITIONER BEFORE THE SECOND RESPONDENT**
- P5 : COPY OF THE ROUGH SKETCH PREPARED BY THE PETITIONER**
- P6: COPY OF THE ORDER OF THE SECOND RESPONDENT DATED 09.12.2011**

RESPONDENT(S)' EXHIBITS:-

- EXT. R1(a) COPY OF THE ROUGH SKETCH OF THE ROUTE**

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 33961 OF 2011

Dated this the 06th day of January, 2015

JUDGMENT

Ext. P6 order according permission to draw electricity supply line is impugned. The first respondent has filed a counter affidavit with Ext. R1(a) plan. The same reflects that the proposed route is the shortest extending to 32 metres and viable. The alternative route proposed by the petitioner is circuitous and extends to 103 metres. Moreover it has to cross a canal to complete a semi-circle.

2. I am satisfied with the route proposed 'ABC' is the shortest and validly approved by the second respondent. The alternative route proposed 'DEFGHJ' is obviously circuitous. The major portion of the proposed route is along the boundary of the property of the petitioner only. Moreover the first respondent assures that only a weatherproof line will be drawn through the route 'ABC'.

3. I do not find any infirmity in Ext. P6 order warranting interference at my hands. All the necessary inputs

have been relied on to accord permission to draw the electricity supply line.

The writ petition is dismissed. No costs.

**V. CHITAMBARESH
JUDGE**

DCS