

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

WP(C).NO. 34752 OF 2015 (T)

PETITIONER(S):

K. BALASUBRAMANYAN, AGED 36 YEARS
S/O.KITTAPPANARAYANASWAMI
PARTNER, UDAYA FILLING STATION
MATTUPPETTY ROAD
MUNNAR, IDUKKI DISTRICT
BY ADV. SRI.S.JIJI

RESPONDENT(S):

1. KANNAN DEVAN HILLS PLANTATIONS CO.LTD., MUNNAR,
REPRESENTED BY ITS GENERAL MANAGER
K.D.H.P HOUSE, MUNNAR, IDUKKI DISTRICT-685 612
2. THE MANAGER-ENGINEERING
K.D.H.P HOUSE, MUNNAR, IDUKKI DISTRICT-685 612
3. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY, VYDYUTHI BHAVAN
PATTOM, THIRUVANANTHAPURAM, PIN 695004

BY SRI.SAJEEVKUMAR K.GOPAL, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
18-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).NO. 34752 OF 2015 (M)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1: TRUE COPY OF THE CERTIFICATE ISSUED BY THE SECRETARY MUNNAR GRAMA
PANCHAYATH TO THE PETITIONER

P2: TRUE COPY OF THE APPLICATION FILED BY THE PETITIONER BEFORE 2ND
RESPONDENT

P3: TRUE COPY OF THE LETTER DATED 14.10.2015 ISSUED BY THE 2ND
RESPONDENT

RESPONDENT(S) ' EXHIBITS: NIL

//TRUE COPY//

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

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W.P.(C).No.34752 of 2015

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Dated this the 18th day of November, 2015

J U D G M E N T

The petitioner is the owner of premises where a petrol pump is being operated. It is stated that in the building of the petitioner there is only a single face electric connection and the petitioner sought for conversion of the same to a three phase electric connection. The application submitted by the petitioner for the said purposes was not acted upon by the 1st respondent, and the 2nd respondent intimated the petitioner that the new electric connection cannot be provided to the petitioner in view of an order of status quo prevailing in a pending case before the Supreme Court. I note in this connection that similar matters have come up for consideration before this Court and in W.P.(C).No.29836 of 2013, a single judge of this Court, by judgment dated 16.01.2014, disposed the writ petition directing the respondents to provide electric connection to the petitioner's building on the basis of the application submitted, provided the petitioner satisfies the other eligibility conditions and complies with the necessary procedural formalities. Taking cue from the said judgment, I dispose the present writ petition directing the respondents to provide the petitioner with a three phase electric connection to his building on the basis of the application submitted by the petitioner, provided

the petitioner complies with all the statutory requirements and procedural formalities in connection with the same. If the petitioner is found eligible, in accordance with the statutory provision, for obtaining the three phase electric connection, the same shall be provided to the petitioner within a period of two weeks from the date of receipt of a copy of this judgment. It is made clear that, the grant of three phase electric connection to the petitioner will not be construed as pronouncing on the legality of the construction put up by the petitioner and the same will be subject to the result of the proceedings pending before the Supreme Court.

A.K.JAYASANKARAN NAMBIAR
JUDGE

