

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 27TH DAY OF NOVEMBER 2015/6TH AGRAHAYANA, 1937

WP(C).No. 35883 of 2015 (I)

PETITIONER:

**LINGAPANDI, S/O.KASI,
BUILDING NO.XX/479,
KAVITHA CHICKEN STALL,
NALLATHANNI ROAD, MUNNAR,
MUNNAR, IDUKKI DISTRICT.**

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENT(S):

- 1. KANNAN DEVAN HILLS PLANTATION 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.PHOUSE, MUNNAR,
IDUKKI DISTRICT - 685 612.**

BY SRI.V.ABRAHAM MARKOS, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 35883 of 2015 (I)

APPENDIX

PETITIONERS' EXHIBITS:

EXT. P1 : TRUE COPY OF THE OWNERSHIP CERTIFICATE DATED 26.8.2015.

EXT. P2 : TRUE COPY OF THE APPLICATION OF TRHE PETITIONER
DATED 9.10.2015 SUBMITTED BEFORE THE 2ND RESPONDENT.

EXT. P3 : TRUE COPY OF THE JUDGMENT IN WP(C)NO.14822/2015
DATED 28.5.2015.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 35883 of 2015

Dated this the 27th day of November, 2015

JUDGMENT

The petitioner is aggrieved by the stand of the respondents, who are licensees for supply of electricity to consumers in Munnar Grama Panchath, that no electric connection can be given to the petitioner's building (Room No.479 of Ward No.XX of the Munnar Grama Panchayat). The stand of the 1st respondent is premised on the fact that there is an order of status quo passed by the Hon'ble Supreme Court in an appeal filed by the State of Kerala against orders passed by this Court, in which the Hon'ble Supreme Court has directed the maintenance of status quo. I note in this connection that, similar matters have come up for consideration before this Court and in WP(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 room 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 electric connection to the petitioner's room 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 the 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 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 Hon'ble Supreme Court.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE