

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

WP(C).No. 37429 of 2015 (C)

PETITIONER(S) :

**M.R.RAJAGOPAL, AGED 56 YEARS,
S/O.RAMASWAMY, BLACK SMITH SHOP, BUILDING NO.XX/476,
NALLATHANNI ROAD, MUNNAR, IDUKKI DISTRICT.**

BY ADV. SMT.BINITHA JAMES

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.P HOUSE, MUNNAR, IDUKKI DISTRICT-685 612.**

**BY ADVS. SRI.V.ABRAHAM MARKOS
SRI.BINU MATHEW
SRI.TOM THOMAS (KAKKUZHIYIL)
SRI.ABRAHAM JOSEPH MARKOS
SRI.ISAAC THOMAS
SRI.NOBY THOMAS CYRIAC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 37429 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE OWNERSHIP CERTIFICATE DATED 26.08.2015.

**EXHIBIT P2: TRUE COPY OF THE APPLICATION OF THE PETITIONER
DATED 09.10.2015 SUBMITTED BEFORE THE 2ND RESPONDENT.**

**EXHIBIT P3: TRUE COPY OF THE JUDGMENT IN W.P(C).NO.14822/2015
DATED 26.05.2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.K.JAYASANKARAN NAMBIAR, J.

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W.P.(C).No.37429 of 2015

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Dated this the 22nd day of December, 2015

J U D G M E N T

The petitioner is aggrieved by the stand of the 1st and 2nd respondents, who are the licensees for supply of electricity to consumers in Munnar Grama Panchayath, that no electric connection can be given to the petitioner's building which is situated in Room No.476 of Ward No.XX of the Munnar Grama Panchayath. The stand of the 1st respondent is premised on the fact that there is an order of status quo passed by the Supreme Court in an appeal filed by the State of Kerala against orders passed by this Court, in which the 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 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 electric connection to the petitioner's 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 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 Supreme Court.

A.K.JAYASANKARAN NAMBIAR
JUDGE

W.P.(C). No.37429 of 2015