IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR

&

THE HONOURABLE MR. JUSTICE S.MANU

FRIDAY, THE 11TH DAY OF APRIL 2025 / 21ST CHAITHRA, 1947

WA NO. 724 OF 2025

AGAINST THE ORDER DATED IN WP(C) NO.9767 OF 2025 OF HIGH COURT OF KERALA

APPELLANT/4TH RESPONDENT:

A.K. PRABHAVATHI,
AGED 89 YEARS
W/O.KRISHNANKUTTY NAIR (LATE),SREEVILASAM, NETHIRIMANGALAM,
MELE PATTAMBI,PALAKKAD DISTRICT, PIN - 679306

BY ADV V.M.KRISHNAKUMAR

RESPONDENTS/PETITIONER & RESPONDENTS 1 TO 3:

1 P. MUHAMMED ALI @ BAPPU,
AGED 53 YEARS
S/O.MUHAMMED MASTER,POKKALATHIL HOUSE, THONDOORKARA
P.O.,PATTAMBI, PALAKKAD DISTRICT, PIN - 679313

2 THE KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY,VYDYUTHI BHAVAN, TRIVANDRUM,
PIN - 695004

3 THE EXECUTIVE ENGINEER,
ELECTRICAL DIVISION, KSEB,PATTAMBI,
PALAKKAD DISTRICT, PIN - 679303

4 THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, KSEB,PATTAMBI,
PALAKKAD DISTRICT, PIN - 679303

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 11.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

# JUDGMENT

(Dated this the 11th day of April 2025)

NITIN JAMDAR, C.J.

Heard Mr.V.M.Krishnakumar, learned counsel for the Appellant, Mr.Babu S. Nair, learned counsel for Respondent No.1 and Adv.Cimi George, representing Mr.Nirmal S, learned Standing Counsel for the KSEB.

2. By the interim order dated 14 March 2025 in W.P(C)No.9767 of 2025, the learned Single Judge has ordered reconnection of electricity supply. According to the Appellant – landlord of the premises, the Original Petitioner is a trespasser and does not have any legal right. According to the Original Petitioner, he is in settled possession for the last more than twenty five years. Considering the fact that what is challenged is an interim order directing that electricity supply be reconnected, which is a basic necessity, we are not inclined to interfere with the exercise of discretion by the learned Single Judge as to the legal rights of the parties. The Writ Petition is still pending and all contentions of the parties on merits will be considered when the Writ Petition is taken up for hearing.

3. The learned counsel for the Appellant submits that the hearing of the Writ Petition before the learned Single Judge be expedited. It is for the

Appellant to make this request to the learned Single Judge and it is for the learned Single Judge to consider the same depending on the urgency and the position of the causelist.

4. The appeal is accordingly disposed of.

Sd/-

NITIN JAMDAR
CHIEF JUSTICE

Sd/-

S.MANU
JUDGE

rp

**APPENDIX OF WA 724/2025**

**PETITIONER ANNEXURES**

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| **Annexure 1** | **TRUE COPY OF THE INFORMATION DATED 26.03.2022 UNDER THE RTI ACT ISSUED BY MUHAMMED IQBAL K, PUBLIC INFORMATION OFFICER TO SHRI.A.K.G.DEVADAS, UNDER THE RTI ACT ALONG WITH ENGLISH TRANSLATION** |
| **Annexure 2** | **TRUE COPY OF THE CASE STATUS OF WP(C) NO.9767/2025** |