

Alias vs the Additional District Magistrate

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SooperKanoon Citation : sooperkanoon.com/1375282

Court : Kerala

Decided On : Sep-20-2023

Judge : Honourable Mr. Justice Amit Rawal

Appeal No. : WP(C)/5290/2015

Appellant : ALIAS

Respondent : The Additional District Magistrate

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE AMIT RAWAL
WEDNESDAY, THE 20TH DAY OF SEPTEMBER 2023 / 29TH
BHADRA, 1945 PETITIONER/S: ALIAS AGED 59 YEARS
S/O.KURIAKKO, THEKKEKKARA HOUSE, MURIVILANGUKARA,
VILANGU P.O., KIZHAKKAMBALAM VILLAGE, KUNNATHUNADU
TALUK,ERNAKULAM DISTRICT. SRI.PAUL K.VARGHESE
SMT.A.A.GEETHA RESPONDENT/S: 1 THE ADDITIONAL DISTRICT
MAGISTRATE KAKKANAD CIVIL STATION, ERNAKULAM, PIN-682
030. 2 THE ASSITANT EXECUTIVE ENGINEER KERALA STATE
ELEXCTRICITY BOARD, KIZHAKKAMBALAM, ERNAKULAM
DISTRICT, PIN-683 865. 3 M.K.VARGHESE SO.KURIAKO AGED 50

YEARS MANALIKKUDI(H) KUNNAKKATTU MOLAM
MURIVILANGUKARA,VILANGU P.O., KIZHAKKAMBALAM VILLAGE,
KUNNATHUNADU TALUK, ERNAKULAM DISTRICT, PIN-683 561. 4
SATHEESHAN SO.THANKAPPAN AGED 48 YEARS
THOZHUTHUNGAL, VILANGU P.O., NEAR KIZHAKKAMBALAM,
ERNAKULAM DISTRICT, PIN-683 561. SRI.SAJEEVKUMAR
K.GOPAL,SC,KSEB SRI.SAJEEVKUMAR K.GOPALSCKSEB
SRI.N.SATHEESH SRI.V.V.BINU, SC, KERALA STATE ELECTRICITY
BOARD LIMITED OTHER PRESENT: SR.GP-SMT.PREETHA K.K. THIS
WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20.09.2023, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

JUDGMENT

Petitioner has approached this Court seeking the following reliefs: a. Call for the records leading Ext.P6 order to quash the same by issuing a writ of certiorari or other appropriate writ

order or direction.

b. Issue a writ of mandamus or other appropriate writ, order

or direction commanding the 1st and 2nd respondents to remove the line and 3 posts inserted in the petitioner's property illegally within a time specified by this Court. There was no stay. Lines have already been erected. Therefore the cause of action accrued in favour of the petitioner no longer subsists, in the absence of any interim order. Writ petition is ordered to be closed. Sd/- sab AMIT RAWAL
JUDGE APPENDIX OF WP(C) 5290/2015 PETITIONER EXHIBITS EXHIBIT P1: A TRUE COPY OF THE JUDGMENT IN WP(C)6033/2013 OF THE HONOURABLE HIGH COURT OF KERALA DATED 5.3.2013 EXHIBIT P2: A TRUE COPOY OF THE SKETCH SUBMITTED BY THE 2ND RESPONDENT BEFORE THE 1ST RESPONDENT DATED NIL.

EXHIBIT P3: A TRUE COPY OF THE ORDER

ISSUED BY THE ADDITIONAL DISTRICT MAGISTRATE ERNAKULAM DATED 25.7.2013 EXHIBIT P4: A TRUE COPY OF THE ORDER IN WP(C)NO.19680/2013 OF THIS HONOURABLE COURT DATED 7.8.2013. EXHIBIT P5: A TRUE COPY OF THE JUDGMENT IN WP(C)NO.1969/13 AND CONNECTED CASES DATED 11.12.13. EXHIBIT P6: A TRUE COPY OF THE ORDER OF THE ADDITIONAL DISTRICT MAGISTRATE ERNAKULAM NO.31124/2014/M5 DATED 11.11.2014.

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