

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 21ST DAY OF JULY 2015/30TH ASHADHA, 1937

WP(C).No. 9625 of 2005 (U)

PETITIONER(S):

1. PADMAVATHY, W/O.CHAMI,
ANGADIPARAMBIL HOUSE, KARALMANNA (POST),
CHERPULASSERY, OTTAPALAM TALUK.
2. KULAVAN, S/O.PARIYANI,
KALATHODI HOUSE, KARALMANNA (POST),
CHERPULASSERY, OTTAPALAM TALUK.

**BY ADVS. SRI. SANTHEEP ANKARATH
SRI. P.P. SURESHKUMAR**

RESPONDENT(S):

1. THE KERALA STATE ELECTRICITY BOARD,
VYDYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM,
REPRESENTED BY THE SECRETARY.
2. THE ADDITIONAL DISTRICT MAGISTRATE,
COLLECTORATE, PALAKKAD.
3. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION,
KERALA STATE ELECTRICITY BOARD,
CHERPULASSERY, OTTAPALAM TALUK,
PALAKKAD DISTRICT.
4. BALAN, KUNNATH HOUSE,
KARALMANNA (POST), CHERPULASSERY, OTTAPALAM TALUK
PALAKKAD DISTRICT.

**R1 & R3 BY ADVS. SRI. S. SHARAN, SC, KSEB
SRI. P. SANTHALINGAM, SC, KSEB
SRI. C.K. KARUNAKARAN, SC FOR KSEB
R2 BY GOVERNMENT PLEADER SRI. GIKKU JACOB**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P-1: TRUE COPY OF THE STATEMENT FILED BY THE PETITIONERS
BEFORE THE 2ND RESPONDENT DATED 05.04.2004.

EXT.P-2: TRUE COPY OF THE SKETCH FOR DRAWING THE LINE THROUGH THE
ALTERNATE ROUTE.

EXT.P-3: TRUE COPY OF THE PETITION FILED BY THE 3RD RESPONDENT
DATED 14.01.2004 ALONG WITH THE SKETCH OF THE PROPOSED ROUTE.

EXT.P-4: TRUE COPY OF ORDER PASSED BY THE 2ND RESPONDENT, DATED
11.03.2005.

RESPONDENT(S)' EXHIBITS - NIL

//TRUE COPY//

P.A. TO JUDGE

V. CHITAMBARESH, J.

W.P.(C) No. 9625 of 2005

Dated this the 21st day of July, 2015

JUDGMENT

The Ext.P4 order passed in terms of Section 16 of the Indian Telegraph Act is impugned. The 2nd respondent has noticed that only a weatherproof line is being drawn to give electricity connection. The alternative route suggested by the petitioner is circuitous and it involves erection of additional post.

2. All the relevant inputs such as technical feasibility and economic viability have been taken into consideration. I do not find any illegality in Ext.P4 order in order to annul the same. A personal inspection was well conducted by the 2nd respondent in the presence of the parties. There is a consideration of both the routes before finalising the route along which the line is to be drawn.

The writ petition fails and is dismissed.

Sd/-
V. CHITAMBARESH
JUDGE