

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 28TH DAY OF JANUARY 2015/8TH MAGHA, 1936

WP(C).No. 2706 of 2015 (K)

PETITIONER:

**C.ARAVINDAN, AGED 41 YEARS
S/O.UMMINICHAN, CHERIKUMMAL HOUSE, CERI KUMMAL COLONY
KIZHUPARAMBU P.O, EARNAD TALUK, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.K.B.ARUNKUMAR
SMT.AMBIKA NAIR
SRI.HARIDAS**

RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM. 682 032.**
- 2. THE ADDITIONAL DISTRICT MAGISTRATE
MALAPPURAM DISTRICT. 678 505.**
- 3. THE EXECUTIVE ENGINEER
KERALA STATE ELECTRICITY BOARD, ARIKODE P.O
MALAPPURAM DISTRICT. 673 639.**

**R1 & R2 BY GOVERNMENT PLEADER SRI. T.R. RAJESH
BY SRI.SAJEEVKUMAR K.GOPAL, SC, KSEB**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
28-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 2706 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1. COPY OF THE SKETCH SHOWING THE PROPOSED SPOT FOR
ERECTING TRANSFORMER BY THE 3RD RESPONDENT.**
- EXHIBIT P2. COPY OF THE COMPLAINT DATED 21.02.13 BEFORE THE 3RD
RESPONDENT.**
- EXHIBIT P3. COPY OF THE COMPLAINT DATED 21.02.13 SUBMITTED BEFORE
THE DISTRICT COLLECOTER, MALAPPURAM.**
- EXHIBIT P4. COPY OF THE LETTER DATED 22.10.13 ISSUED BY THE DISTRICT
SCHEDULE CAST DEVELOPMENT OFFICER, MALAPPURAM TO
THE 3RD RESPONDENT.**
- EXHIBIT P5. COPY OF THE COMPLAINT DATED 25.01.14 SUBMITTED BEFORE
THE DISTRICT COLLECTOR, MALAPPURAM.**
- EXHIBIT P6. COPY OF THE ORDER DATED 08.01.15 PASSED BY THE 2ND
RESPONDENT.**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 2706 OF 2015

Dated this the 28th day of January, 2015

JUDGMENT

The electricity supply line is admittedly sought to be drawn along a public road only. The petitioner has no case that the electricity line is being drawn over his property. Therefore permission of the second respondent under Section 16 of the Indian Telegraph Act is superfluous (See the judgment dated 09.01.2015 in W.P.(C) No. 474/2015).

2. The remedy if any of the petitioner is to move other forums only. There is no necessity to test the correctness or otherwise of Ext. P6 order in the circumstances.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS