

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 4TH DAY OF FEBRUARY 2015/15TH MAGHA, 1936

WP(C).No. 3546 of 2015 (P)

PETITIONER(S):

ANNAMMA PAUL, AGED 53 YEARS
OLICKAL HOUSE, EAST VAZHAPPILLY P.O., MUVATTUPUZHA
PIN: 686 673.

BY ADVS.SRI.M.S.UNNIKRISHNAN
SMT.JAYASREE MANOJ
SRI.JITHIN PAUL VARGHESE
SRI.K.SUNIL
SMT.M.PPRIYANKA
SMT.CHITHRA.S.BABU
SMT.T.P.SHELNA

RESPONDENT(S):

K.S.E.B. (KERALA STATE ELECTRICITY BOARD)
REPRESENTED BY ASSISTANT EXECUTIVE ENGINEER
T.C.SUB DIVISION, PEZHAKKAPILLY P.O., MUVATTUPUZHA
PIN: 686 673.

R BY STANDING COUNSEL SRI. K.M.SATHYANATHA MENON

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
04-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

P1: TRUE COPY OF THE SALE DEED NO.864/1988 OF S.R.O MUVATTUPUZHA.

P2: TRUE COPY OF THE TAX RECEIPT

P3: TRUE COPY OF THE SKETCH.

P4: TRUE COPY OF THE NOTICE DATED 1/1/2007 ISSUED BY THE RESPONDENT TO
THE PETITIONER

P5:TRUE COPY OF THE PETITION DATED 16/5/2013 ISSUED BY THE PETITIONER TO
THE RESPONDENT WITHOUT ENCLOSURES.

P6: TRUE COPY OF THE PROCEEDINGS DATED 27/1/2014 ISSUED BY THE
RESPONDENT TO THE PETITIONER

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.3546 of 2015

Dated this the 4th day of February, 2015

J U D G M E N T

The sufficiency of the compensation payable under Section 10(d) of the Indian Telegraph Act, 1885 can be questioned before the District Judge only. This is evident from a plain reading of Section 16(3) of the Indian Telegraph Act, 1885. Many factual questions require to be adjudicated in the process. The writ petition under Article 226 of the Constitution of India is not the proper remedy.

The Writ Petition is dismissed without prejudice to the right of the petitioner as indicated above.

Sd/-
V.CHITAMBARESH,
Judge.

nj.