

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 20TH DAY OF JANUARY 2015/30TH POUSHA, 1936

WP(C).No. 8677 of 2009 (D)

PETITIONER:

**C.SATHEESH, AGED 32 YEARS,
S/O.BALAKRISHNAN, SARIGA NETWORK, MOONAMPADI
MALAPPURAM P.O.**

**BY ADVS.SRI.V.M.KRISHNAKUMAR
SMT.P.A.ANITHA**

RESPONDENTS:

- 1. THE KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY, VYDYUTHI BHAVAN
THIRUVANANTHAPURAM.**
- 2. THE EXECUTIVE ENGINEER,
ELECTRICAL DIVISION OFFICER, K.S.E.B., MANJERI
MALAPPURAM.**
- 3. ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION OFFICE, MALAPPURAM.**

**R1 TO R3 BY ADVS. SRI.P.P.THAJUDEEN, SC, K.S.E.B
SRI.T.R.RAJAN, SC, K.S.E.B.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-01-2015, ALONG WITH WP(C) NO. 33936/2014, THE COURT ON THE SAME
DAY DELIVERED THE FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COPY OF THE AGREEMENT NO. 25/2001-2002 DATED 02.02.2002**
- P2 : COPY OF THE RECEIPT DATED 17.12.2005 ISSUED BY THE ELECTRICITY BOARD**
- P3 : COPY OF THE LETTER ISSUED BY THE EXECUTIVE ENGINEER DATED 01.01.2007**
- P4 : COPY OF THE LETTER DATED 16.02.2007 OF THE PETITIONER**
- P5 : COPY OF THE LETTER ISSUED BY THE PETITIONER TO THE ASST. EXECUTIVE ENGINEER, KSEB, MALAPPURAM DATED 29.03.2008**
- P6 : COPY OF THE LETTER DATED 18.04.2008 OF THE EXECUTIVE ENGINEER, MANJERI**
- P7 : COPY OF THE PROCEEDINGS OF THE 3RD RESPONDENT DATED 24.02.2009**
- P8 : COPY OF THE REPRESENTATION FILED BY THE PETITIONER DATED 07.03.2009 TO THE 1ST RESPONDENT**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

**W.P.(C). Nos. 8677 of 2009 &
33936 of 2014**

Dated this the 20th day of January, 2015

JUDGMENT

The liability to pay pole rental as demanded by the respondents is pending consideration with the first respondent. The liability for the period from 01.04.2006 to 02.03.2010 is questioned in Ext. P8 representation in W.P.(C). No. 8677/2009. The liability for the period from 03.03.2010 till date is questioned in Ext. P12 representation in W.P.(C). No. 33936/2014.

2. I direct the first respondent to dispose of Exts. P8 and P12 representations referred to above with notice to the petitioner. The petitioner shall produce copy of the writ petitions along with the judgment with the first respondent within two weeks. The first respondent shall pass final orders within a period of two months therefrom.

3. Further coercive steps for realisation of the amount demanded shall be put on hold in the meanwhile. This is however subject to the condition that the petitioner deposits a

further sum of Rs. 1,00,000/- (Rupees One Lakh only) towards the dues with the first respondent within a period of one month.

The writ petitions are disposed of. No costs.

**V. CHITAMBARESH
JUDGE**

DCS