

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 18TH DAY OF FEBRUARY 2015/29TH MAGHA, 1936

WP(C).No. 4672 of 2015 (H)

PETITIONER:

**GANESHAN ACHARY, AGED 49 YEARS
S/O. NATARAJAN ACHARY, GEEYEL CABLE NETWORKS
L.G. VILASOM, KURUMANDAL, PARAVOOR P.O.
KOLLAM DISTRICT.**

**BY ADVS.SRI.BINU GEORGE
SMT.HEMALATHA**

RESPONDENTS:

- 1. EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, KSEB, CHATHANOOR
KOLLAM - 691 572.**
- 2. THE SECRETARY,
KERALA STATE ELECTRICITY BOARD, PATTOM
THIRUVANATHAPURAM - 695 000.**
- 3. THE SENIOR VICE PRESIDENT (ACS)
ASIANET SATELITE COMMUNICATIONS LIMITED, 3RD FLOOR
KARIMPANAL ARCADE, EAST FORT
THIRUVANANTHAPURAM - 695 023.**

R1 & R2 BY SRI.SAJEEVKUMAR K.GOPAL, SC, KSEB

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 4672 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1- TRUE COPY OF THE REGISTRATION CERTIFICATE FOR THE PERIOD FROM 01/11/2012 TO 31/10/2013 BEARING REGISTRATION NO. KLM/CTN/219/2002 DATED 16/10/2012.

EXHIBIT-P2- TRUE COPY OF THE LICENCE NO. 65/2014-15 DATED 03/06/2014.

EXHIBIT-P3- TRUE COPY OF THE AGREEMENT FOR CABLE T.V SIGNAL FEED DATED 07/03/2003.

EXHIBIT-P4- TRUE COPY OF THE AGREEMENT BEARING NO. 32/12-13 DATED 30/03/2013.

EXHIBIT-P5- TRUE COPY OF THE LETTER ALONG WITH REVISED CALCULATION OF POLE MAINTENANCE CHARGE (PMC) FOR 2014-15.

EXHIBIT-P6- TRUE COPY OF THE REVISED CALCULATION OF POLE MAINTENANCE CHARGES.

RESPONDENT(S)' EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 4672 OF 2015

Dated this the 18th day of February, 2015

JUDGMENT

The petitioner asserts that he has secured permission to draw T.V. cables along 753 electric posts. The same is however disputed by the Kerala State Electricity Board contending that permission is accorded for drawing cables along 53 electricity poles only. The drawing of T.V. cables along electricity posts is covered by the terms of agreement entered into between the parties. Ext. P4 document is one such agreement and Clause 9 thereof provides for resolution of dispute by the Chief Engineer.

2. The petitioner is free to move the Chief Engineer of the Kerala State Electricity Board for resolution of the dispute. Any motion made within three weeks from today shall be dealt with by the Chief Engineer within six weeks therefrom. The T.V. cables drawn by the petitioner along the electricity posts shall not be dismantled in the meanwhile. This is subject to the

condition that the petitioner deposits one half of the amount demanded under Ext. P6 notice with the first respondent within a period of three weeks.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS