

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

WP(C).No. 11195 of 2013 (Y)

PETITIONER(S):

- 1. O.M.RAGHAVAN, AGED 58 YEARS, S/o TACHAN RAMAN,
RESIDING AT VADAKKEVALAPPU, CHERUVATHUR P.O.
HOSDURG TALUK, KASARAGOD DISTRICT.**
- 2. T.SAVITHRI, AGED 59 YEARS
W/O.LATE O.M.MADHAVAN, RESIDING AT VADAKKEVALAPPU
CHERUVATHUR P.O., HOSDURG TALUK, KASARAGOD DISTRICT**

**BY ADVS.SRI.T.MADHU
SMT.C.R.SARADAMANI**

RESPONDENT(S):

- 1. THE ADDITIONAL DISTRICT MAGISTRATE, KASARAGOD
COLLECTORATE, KASARAGOD, VIDYANAGAR P.O.
KASARAGOD DISTRICT - 671 123.**
- 2. THE ASSISTANT EXECUTIVE ENGINEER,
KERALA STATE ELECTRICITY BOARD
ELECTRICAL SUB DIVISION PILICODE, CHERUVATHUR P.O.
KASARAGOD DISTRICT. PIN : 671 313**
- 3. THE VILLAGE OFFICER, CHERUVATHUR VILLAGE,
CHERUVATHUR P.O., KASARAGOD DISTRICT. PIN : 671 313**
- 4. T.PADMANABHAN,
S/O.TACHAN POZHUTHAN, RESIDING AT VADAKKEVALAPPU
CHERUVATHUR P.O., HOSDURG TALUK, KASARAGOD DISTRICT.
PIN : 671 313**

**R1&3 BY ADV. GOVERNMENT PLEADER SRI.GIKKU JACOB
R2 BY SRI.SAJEEVKUMAR K.GOPAL,SC,KSEB
R4 BY ADV. SRI.JAWAHAR JOSE**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
19-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

VS

WP(C).No. 11195 of 2013 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 :** THE TRUE COPY OF THE BASIC TAX RECEIPT DATED 11/4/2013
ISSUED BY THE VILLAGE OFFICER, CHERUVATUR.
- EXHIBIT P2 :** THE TRUE COPY OF THE BASIC TAX RECEIPT DATED 11/4/2013
ISSUED BY THE VILLAGE OFFICER, CHERUVATHUR.
- EXHIBIT P3 :** THE TRUE COPY OF THE NOTICE DATED 20/03/2013 ISSUED BY
THE 1ST RESPONDET TO THE PETITIONERS
- EXHIBIT P4 :** THE TRUE COPY OF THE SKETCH PRODUCED BY THE
PETITIONERS BEFORE THE 1ST RESPONDENT ON 10/4/2013
- EXHIBIT P5 :** THE TRUE COPY OF THE ORDER DATED 15/4/2013 OF THE 1ST
RESPONDENT.

RESPONDENT(S)' EXHIBITS

NIL

/TRUE COPY/

PA TO JUDGE

VS

V.CHITAMBARESH, J

W.P.(C).No.11195 of 2013

Dated this the 19th day of June, 2015

JUDGMENT

The petitioners only wanted the electric line to be drawn along the boundary of their property. This is discernible from the following observations contained in Ext.P5 order of the first respondent. "Respondents have stated that if the existing post at the property of Sri.Ravi is shifted to the boundary line, there would not be loss of improvements".

2. The petitioners now want the electric line to be drawn outside the boundaries of their property. They contend that the electricity line can be drawn along the paddy field lying adjacent. No such contention is seen raised before the first respondent. The paddy fields belong to strangers who have not also been impleaded in the proceedings.

3. I do not find any illegality in Ext.P5 order passed in terms of Section 17 of the Indian Telegraph Act.

The first respondent has passed the order on the basis of the relevant inputs which cannot be faulted with.

The Writ Petition fails. Dismissed.

Sd/-
V.CHITAMBARESH
JUDGE

VS