

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937

WP(C).No. 9817 of 2015 (B)

PETITIONER(S):

K.P VENUGOPAL, AGED 59 YEARS
S/O. M.K. PADMANABHA PILLAI, GENERAL MANAGER,
KANDAMATH CINE ENTERPRISES P LTD.,
DHANYA AND REMYA THEATRES, NR. AYURVEDA COLLEGE JN.
KUNNUPURAM, THIRUVANANTHAPURAM 695 035

BY ADVS.SRI.K.A.MOHAMED HARIS
SRI.V.R.REKESH

RESPONDENT(S):

1. KERALA STATE ELECTRICITY BOARD LIMITED
VYDHYUTHI BHAVAN, PATTOM
THIRUVANANTHAPURAM 695004
2. THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, KSEB, SHANTINAGAR
PUTHENCHANTHA, THIRUVANANTHAPURAM , PIN CODE-695001
3. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, KSEB, SHANTINAGAR
PUTHENCHANTHA, THIRUVANANTHAPURAM PIN CODE-695001
4. THE DEPUTY CHIEF ENGINEER,
ELECTRICAL CIRCLE, KSEB, TRIVANDRUM 695001
5. THE CHIEF ENGINEER
KSEB, VYDHYUTHI BHAVAN, PATTOM
THIRUVANANTHAPURAM 695004
6. ADDITIONAL DISTRICT MAGISTRATE
OFFICE OF THE ADDITIONAL DISTRICT MAGISTRATE
COLLECTORATE, THIRUVANANTHAPURAM 695001

R BY GOVERNMENT PLEADER SRI.GIKKU JACOB.
R BY SRI.SAJEEVKUMAR K.GOPAL,SC,KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
31-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF RELEVANT PAGES OF HT AGREEMENT EXECUTED
BETWEEN PETITIONER AND 1ST RESPONDENT KSEB

EXHIBIT P2: TRUE COPY OF THE CASH BILL SHOWING PURCHASE OF CABLE BY
PETITIONER

EXHIBIT P2(A): TRUE COPY OF THE DEMAND NOTE ISSUED BY THE ASSISTANT
EXECUTIVE ENGINEER, PWD ROADS SUB DIVISION TO THE
ASSISTANT ENGINEER KSEB DEMANDING THE ROAD CUTTING
CHARGE FOR CABLE LAYING TO THE PETITIONER'S PROPERTY.

EXHIBIT P2(B): TRUE COPY OF THE RECEIPT ISSUED FROM PWD ROADS SUB
DIVISION DATED 23.4.2013

EXHIBIT P3: TRUE COPY OF THE REPRESENTATION SUBMITTED BEFORE THE 5TH
RESPONDENT CHIEF ENGINEER DATED 13.2.2015

EXHIBIT P4: A TRUE COPY OF THE LETTER ISSUED BY THE 3RD RESPONDENT TO
THE PETITIONER DATED 10.3.2015

EXHIBIT P5: A TRUE COPY OF THE LETTER ISSUED BY THE DEPUTY COLLECTOR (LA)
DATED 17.10.2014 AND THE COPY OF AGREEMENT

EXHIBIT P6: A TRUE COPY OF THE LETTER SUBMITTED BEFORE THE ASSISTANT
EXECUTIVE ENGINEER DATED 18.3.2015

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.9817 of 2015

Dated this the 31st day of March, 2015

J U D G M E N T

The Kerala State Electricity Board submits that objection has been received from the petitioner as regards the drawing of electricity line across his property. It is also stated that steps are afoot to move the Additional District Magistrate in terms of Section 16 of the Indian Telegraph Act. It is clarified that the line would be drawn only subject to the orders passed by the Additional District Magistrate before whom the motion is made. No line would be drawn without obtaining permission in terms of Section 16 of the Indian Telegraph Act.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.