

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

WP(C).No. 10575 of 2015 (V)

PETITIONER:

AMMINI NAIR @ PARUKUTTY AMMA, AGED 66 YEARS
W/O. RAMACHANDRAN NAIR (LATE), VADAKKE
KALARIYIL, PALLIAKKARA, THIRUVALLA, PATHANAMTHITTA.

BY ADV. SRI. R. SANTHOSH BABU

RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY,
VYDYUTHI BHAVAN, PATTOM,
THIRUVANANTHAPURAM, PIN - 695 001.
2. DISTRICT COLLECTOR,
PATHANAMTHITTA DISTRICT,
PATHANAMTHITTA PIN - 689 645.
3. ADDITIONAL DISTRICT MAGISTRATE,
COLLECTORATE, PATHANAMTHITTA PIN - 689 645.
4. EXECUTIVE ENGINEER
ELECTRICAL DIVISION,
THIRUVALLA PIN - 689 101.
5. ASSISTANT ENGINEER, ELECTRICAL SECTION,
MANIPUZHA, THIRUVALLA PIN - 689 101.
6. PONNAMMA CHERIAN, PUTHUPARAMBIL,
PALIAKKARA, THIRUVALLA PIN - 689 101.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26-05-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 : TRUE COPY OF TAX RECEIPT DATED 27/05/2014.
- EXT.P2 : TRUE COPY OF LETTER DATED 05/07/2014 ISSUED BY 4TH RESPONDENT.
- EXT.P3 : TRUE COPY OF INTIMATION/ORDER DATED 10/12/2014 ISSUED BY 2ND RESPONDENT.
- EXT.P4 : A ROUGH SKETCH SHOWING THE LOCATION OF PRESENT LINE ETC.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 10575 OF 2015

Dated this the 26th day of May, 2015

JUDGMENT

Only an applicant who seeks shifting of the electric line has to remit the labour charges. This is explicit from Regulation 95 (4) (c) of the Kerala Electricity Supply Code, 2014. It is the petitioner who sought shifting of the electric line which has been granted subject to remitting the labour charges. The electricity line to the premises of the sixth respondent was drawn as early as on 26.09.2006. It is years after has the petitioner moved for shifting the electric line which has been granted.

2. The second respondent has not erred in holding that the electricity line cannot be shifted without remitting the labour charges. The petitioner cannot pass on the burden to the sixth respondent to pay the labour charges in view of the statutory provisions aforequoted. Ext.P3 order does not suffer from any infirmity in law.

The Writ Petition is dismissed.

**V. CHITAMBARESH
JUDGE**