

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 20TH DAY OF MAY 2015/30TH VAISAKHA, 1937

WP(C).No. 12761 of 2015 (U)

PETITIONER(S)/PETITIONERS:

1. SAJITH.U, AGED 43 YEARS
S/O.BALAGOPAL, SAT VISION, VELAPPILLIL BUILDING,
KOOTTUPATHA, LAKKIDI, PALAKKAD.
2. MOHAMMED AMEEN, AGED 45 YEARS
S/O ABDUL RAZAQ, SKY VISION, VANIVILASINI
CHUNANGAD.P.O, OTTAPALAM, PALAKKAD.

BY ADV. SMT.P.R.REENA

RESPONDENT(S)/RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD LIMITED,
REPRESENTED BY ITS SECRETARY, VAIDYUTHI BHAVANAM
PATTOM, THIRUVANANTHAPURAM, PIN-695001.
2. CHIEF ENGINEER,
ELECTRICAL CIRCLE OFFICE, K.S.E.B, KOZHIKODE
PIN-695 001.
3. EXECUTIVE ENGINEER,
ELECTRICAL DIVISION OFFICE, K.S.E.B, SHORNUR
PALAKKAD, PIN-679 121.

R BY SRI.JAICE JACOB,SC,KERALA STATE ELECTRICITY BOARD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 TRUE COPY OF THE AGREEMENT EXECUTED BY THE 1ST PETITIONER WITH
THE ELECTRICITY BOARD DATED 22.1.14

EXT.P1(A) TRUE COPY OF THE AGREEMENT EXECUTED BY THE 2ND PETITIONER WITH
THE ELECTRICITY BOARD DATED 2.2.14

EXT.P2 TRUE COPY OF VERIFICATION REPORT AS REGARDS 1ST PETITIONER IS
CONCERNED DATED 3.12.14

EXT.P2(A) TRUE COPY OF VERIFICATION REPORT AS REGARDS 2ND PETITIONER IS
CONCERNED DATED 17.11.2014

EXT.P3 TRUE COPY OF RECEIPT ISSUED TO THE 1ST PETITIONER BY THE
K.S.E.B.DATED 11.12.2014

EXT.P3(A) TRUE COPY OF RECEIPT ISUED TO THE 2ND PETITIONER BY THE
K.S.E.B

EXT.P4 TRUE COPY OF NOTICE ISSUED BY 3RD RESPONDENT TO THE 1ST
PETITIONER DATED 23.3.2005

EXT.P4(A) TRUE COPY OF NOTICE ISSUED BY 3RD RESPONDENT TO THE 2ND
PETITIONER DATED 23.3.2015

EXT.P5 TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONERS BEFORE
THE RESPONDENTS DATED 10.04.2015.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

V.CHITAMBARESH, J.

W.P (C) No.12761 of 2015

Dated this the 20th day of May, 2015

J U D G M E N T

Exts.P4 and P4(a) notices demanding pole rent have been challenged by the petitioners. Ext.P5 representation has been filed by the petitioners in this regard addressed to the respondents.

2. Clause 9 of Exts.P1 and P1(a) agreement provides for resolution of the dispute by the second respondent. I therefore direct the second respondent to consider Ext.P5 representation with notice to the petitioners within a period of one month.

3. The respondents point out that there has been an unauthorised drawing of TV cables along the electricity post by the petitioners. Therefore coercive steps pursuant to Exts.P4 and P4(a) notices shall be put on hold on condition that the petitioners remit one-half of the amount demanded therein within two weeks.

The Writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.