

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

WP(C).No. 18620 of 2011 (B)

PETITIONER:

SRI. RAMACHANDRAN NAIR, S/O. RAMAN NAIR,
ALAMKOTT HOUSE, CHOYVAKKAVU, PULAKKODE (PO)
CHELAKKARA, THRISSUR DIST - 680 586.

BY ADVS. SRI. M. R. DHANIL
SRI. JOBY JOSEPH (THRISSUR)
SRI. M. H. HANIL KUMAR

RESPONDENTS:

1. SMT. CHAKKY, W/O. CHAMI, CHOYVAKKAVIL
HOUSE, PULAKKODE (PO), CHELAKKARA
THRISSUR DISTRICT - 680 586.
2. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, KSEB OFFICE,
CHELAKKARA, THRISSUR DISTRICT - 680 586.
3. THE ADDITIONAL DISTRICT MAGISTRATE,
AYYANTHOLE, THRISSUR - 680 003.

R2 BY ADV. SRI. SAJEEVKUMAR K. GOPAL, SC, KSEB
BY GOVERNMENT PLEADER SRI. THOMAS JOHN AMBOOKEN
BY SRI. P. P. THAJUDEEN, SC, K.S.E.B

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26-06-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : A TRUE COPY OF THE NOTICE DATED 11.01.2011 ISSUED BY THE SECOND RESPONDENT TO THE PETITIONER.
- EXHIBIT P2 : A TRUE COPY OF THE OBJECTION SUBMITTED BY THE PETITIONER DATED 21.01.2011 BEFORE THE SECOND RESPONDENT
- EXHIBIT P3 : TRUE COPY OF THE NOTICE NO. C4-SR/ET/31/2011 DATED NIL ISSUED BY THE THIRD RESPONDENT TO THE PETITIONER.
- EXHIBIT P4 : A TRUE COPY OF THE REPRESENTATION DATED 23.06.2011 SUBMITTED BY THE PETITIONER TO THE THIRD RESPONDENT
- EXHIBIT P5 : A TRUE COPY OF THE SKETCH SHWOING THE LIE AND NATURE OF THE PROPERTY OF THE PETITIONER.
- EXHIBIT P6 : A TRUE COPY OF THE ORDER DATED 25.06.2011 PASSED BY THE THIRD RESPONDENT

RESPONDENT(S) EXHIBITS

- ANNEXURE R2(a) TRUE COPY OF THE ROUGH SKETCH OF THE ROUTE.

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 18620 OF 2011

Dated this the 26th day of June, 2015

JUDGMENT

The Additional District Magistrate has accepted the route ABC as shown in Annexure R2(a) sketch. The major portion of the line flows through the property of one Mr. Raman who has already granted consent. Only a small portion of the route through which the line is proposed to be drawn falls in the property of the petitioner.

2. The alternate route suggested by the petitioner is circuitous. It flows along the alleged pathway adjacent to the forest land. The third respondent has considered the economic viability as well as the technical feasibility in the matter.

3. I do not think that the jurisdiction under Section 16 of the Indian Telegraph Act has been arbitrarily exercised by the third respondent. Ext.P6 order does not suffer from any illegality warranting interference in this jurisdiction.

The Writ Petition is dismissed. No costs.

**V. CHITAMBARESH
JUDGE**