

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

WP(C).No. 18832 of 2015 (D)

PETITIONER:

**K.S.BINU, AGED 36 YEARS
S/O.SUKUMARAN, KARAKUNNATH HOUSE, KOLAPRA KARA
KUDAYATHUR P.O, THODUPUZHA, IDUKKI.**

BY ADV. SRI.L.RAJESH NARAYAN

RESPONDENTS:

- 1. ASSISTANT ENGINEER
KERALA STATE ELECTRICITY BOARD, ELECTRICAL SECTION
MOOLAMATTOM - 685 585**
- 2. EXECUTIVE ENGINEER
O/O. THE EXECUTIVE ENGINEER, ELECTRICAL DIVISION
THODUPUZHA - 685 585**

BY SRI.K.M.SATHYANATHA MENON, SC, KSEB

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 18832 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. COPY OF THE BASIC TAX RECEIPT DATED 26.3.14.

EXHIBIT P2. COPY OF THE REPRESENTATION DATED 22.3.14.

EXHIBIT P3. COPY OF THE REPRESENTATION DATED 2.6.14.

EXHIBIT P4. COPY OF THE REPRESENTATION DATED 8.4.15.

EXHIBIT P5. COPY OF THE RECEIPT DATED 9.4.15.

EXHIBIT P6. COPY OF THE PHOTOGRAPHS OF THE PROPERTY.

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 18832 OF 2015

Dated this the 23rd day of June, 2015

JUDGMENT

True it is that there existed a low tension electricity line drawn across the property of the petitioner. The attempt now is to draw a 11KV electricity line along the same route. The petitioner contends that the 11KV electricity line can be drawn along the side of the public road. There is no necessity to dissect the property into two when alternate route along the road side or the boundary of the property exists.

2. The petitioner relies on the decision in **Gopinathan Nair v. KSEB [2015 (2) KLT 947]**. The petitioner has in this regard submitted Ext. P4 representation with the second respondent.

3. I direct the second respondent to consider Ext. P4 representation with notice to the petitioner. The needful shall be done within a period of one month from the date of receipt

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of a copy of this judgment. The status quo as on today shall be maintained till orders are passed on Ext. P4 representation as directed above.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS