

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

WEDNESDAY, THE 1ST DAY OF JULY 2015/10TH ASHADHA, 1937

WP(C).No. 19786 of 2015 (W)

PETITIONERS:

1. JOY K.T., AGED 48 YEARS,
S/O. JOSE, RAHUL CABLE VISION,
CHITTISSERY P.O., THRISSUR DISTRICT.
2. DINESHKUMAR, AGED 49 YEARS,
S/O MADHAVAN, DRISYA CABLE NETWORK,
MARATHAKKARA, THRISSUR DISTRICT.

BY ADV. SMT.P.RREENA

RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD LIMITED,
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER,
VAIDYUTHI BHAVANAM, THIRUVANANTHAPURAM 695 004.
2. CHIEF ENGINEER, ELECTRICAL DIVISION OFFICE,
KERALA STATE ELECTRICITY BOARD,
VYTTILA, ERNAKULAM PIN 682 020.
3. THE EXECUTIVE ENGINEER,
ELECTRICAL DIVISION OFFICE,
KSEB, THRISSUR EAST,
THRISSUR PIN 680 004.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF WP(C) NO. 3729/2015 WITHOUT EXHIBITS
- EXHIBIT P2 : TRUE COPY OF THE JUDGMENT DATED WP(C) NO. 3729/2015 DATED 18.02.2015.
- EXHIBIT P3 : TRUE COPY OF THE AGREEMENT EXECUTED BY THE 1ST PETITIONER WITH THE ELECTRICITY BOARD DATED 31.10.2006.
- EXHIBIT P4 : TRUE COPY OF THE AGREEMENT EXECUTED BY THE 2ND PETITIONER DATED 30.12.2006.
- EXHIBIT P5 : TRUE COPY OF THE BOARD ORDER DATED 31.12.2014 ISSUED BY THE ELECTRICITY BOARD.
- EXHIBIT P6 : TRUE COPY OF THE APPLICATION FILED BY THE 1ST PETITIONER DATED 20.04.2015.
- EXHIBIT P6(a) : TRUE COPY OF THE APPLICATION FILED BY THE 2ND PETITIONER DATED 28.02.2015.
- EXHIBIT P6(b) : TRUE COPY OF THE APPLICATION FILED BY THE 2ND PETITIONER DATED 24.02.2015.
- EXHIBIT P7 : TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONERS DATED 18.06.2015 BEFORE THE 1ST AND 2ND RESPONDENTS.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 19786 OF 2015

Dated this the 1st day of July, 2015

JUDGMENT

Disputes exist as regards the pole rental payable for drawing television cables along electricity posts. Such disputes have to be resolved by the second respondent as per the terms of Exts.P3 and P4 agreements. The petitioners have already moved the second respondent by Ext.P7 representation which is pending.

2. I direct the second respondent to consider Ext.P7 representation with notice to the petitioners. The needful shall be done within a period of one month from the date of receipt of a copy of this judgment. The television cables in question shall not be dismantled if the petitioners remit one half of the amount demanded therefrom towards charges.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd