

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

WEDNESDAY, THE 15TH DAY OF JULY 2015/24TH ASHADHA, 1937

WP(C).No. 20637 of 2015 (D)

PETITIONER:

JANARDHANAN, AGED 74 YEARS,
S/O. RAMAN, AMBATTU HOUSE,
PINDIMANA.P.O., ERNAKULAM.

BY ADVS. SRI. A. JAYASANKAR
SRI. C. V. MANUVILSAN
SRI. MANU GOVIND

RESPONDENTS:

1. THE STATE OF KERALA REPRESENTED BY
SECRETARY, DEPARTMENT OF POWER,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
2. KERALA STATE ELECTRICITY BOARD,
KOTHAMANGALAM ELECTRICAL SUB DIVISION,
REPRESENTED THROUGH ASSISTANT EXECUTIVE ENGINEER-686691.
3. ASSISTANT ENGINEER, KERALA STATE
ELECTRICITY BOARD, SECTION OFFICE,
KOTHAMANGALAM - 686 691.
4. THE DISTRICT COLLECTOR,
COLLECTORATE, KAKKANADU - 682 030.
5. THE ADDITIONAL DISTRICT MAGISTRATE,
ERNAKULAM - 682 030.
6. SRI. MATHAI. C. K., THACHETHUKUDIYIL HOUSE,
PINDIMANA.P.O., PIN - 686 692.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 A TRUE PHOTOCOPY OF THE TAX RECEIPT OF THE PETITIONER DATED 05.01.2015
- EXHIBIT P2 A TRUE PHOTOCOPY OF THE REPRESENTATION DATED 21.03.2014
PREFERRED BY THE 3RD RESPONDENT
- EXHIBIT P3 A TRUE PHOTOCOPY OF THE PHOTOGRAPH OF THE POST INSTALLED IN
THE PETITIONER'S PROPERTY
- EXHIBIT P4 A TRUE PHOTOCOPY OF THE REPRESENTATION DATED 06.05.2014
SUBMITTED BEFORE THE 4TH RESPONDENT
- EXHIBIT P5 A TRUE PHOTOCOPY OF THE ORDER DATED 18.-06.2015 PASSED BY THE
5TH RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 20637 OF 2015

Dated this the 15th day of July, 2015

JUDGMENT

Ext.P5 order passed in terms of Section 16 of the Indian Telegraph Act is impugned. The apprehension of the petitioner is that the electricity post and stay wire would be located inside his property.

2. The Kerala State Electricity Board has made available the relevant file. The sketch therein shows that the post has been erected within the width of the panchayat road.

3. Ext.P5 order itself reiterates that the property of the petitioner shall not be encroached into. There is therefore no grievance for the petitioner.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd