

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. 27994 of 2012 (Y)

PETITIONER(S):

MOHANDAS A.R.
S/O RAMANKUTTY, AYYAPPANKAVU, VANDITHAVALAM P.O.
PALAKKAD.

BY ADVS.SRI.P.K.NIJOY
SMT.C.PRABITHA

RESPONDENT(S):

1. KERALA STATE ELECTRICITY BOARD
REPRESENTED BY ITS SECRETARY
PATTOM, THIRUVANANTHAPURAM.
2. THE DISTRICT COLLECTOR,
PALAKKAD.
3. ADDITIONAL DISTRICT MAGISTRATE,
PALAKKAD.
4. THE ASSISTANT EXECUTIVE ENGINEER,
KERALA STATE ELECTRICITY BOARD
ELECTRICAL SUB DIVISION, KODUVAYUR, PALAKKAD.
5. THE ASSISTANT ENGINEER,
KERALA STATE ELECTRICITY BOARD, ELECTRICAL SECTION
THATTAMANGALAM, PALAKKAD.
6. HARIDAS A.R.,
S/O RAMANKUTTY, AYYAPPANKAVU, VANDHITHAVALAM P.O.
PALAKKAD.
7. KRISHNADAS A.R.
S/O RAMANKUTTY, AYYAPPANKAVU, VANDITHAVALAM P.O.
PALAKKAD.

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: 2 :

8. KAMALAM,
W/O BHASKARAN, A.K.NIVAS, AYYAPPANKAVU
VANDITHAVALAM P.O., PALAKKAD.

R8 BY ADV. SRI.NIRMAL. S
R8 BY ADV. SMT.VEENA HARI
R1,R4,R5 BY ADV. SRI.SAJEEVKUMAR K.GOPAL,SC,KSEB
R BY GOVERNMENT PLEADER SRI.THOMAS JOHN AMBOOKEN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
01-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) No.27994 of 2012

PETITIONER'S EXTS:

- EXT.P1 TRUE COPY OF THE OBJECTION DATED 23.2.2011 SUBMITTED BY THE SIXTH RESPONDENT.
- EXT.P2 TRUE COPY OF THE PETITION DATED 9.6.2011 ALONG WITH THE ROUTE SKETCH SUBMITTED BY THE FOURTH RESPONDENT.
- EXT.P3 TRUE COPY OF THE COUNTER STATEMENT ALONG WITH A SKETCH SUBMITTED BY THE SIXTH RESPONDENT.
- EXT.P4 TRUE COPY OF THE STATEMENT DATED 9.11.2011 SUBMITTED BY THE FOURTH RESPONDENT.
- EXT.P5 TRUE COPY OF THE COUNTER STATEMENT DATED 28.1.2012 ALONG WITH A ROUGH SKETCH.
- EXT.P6 TRUE COPY OF THE COUNTER STATEMENT DATED 1.2.2012 SUBMITTED BY THE PETITIONER.
- EXT.P7 TRUE COPY OF THE ORDER DATED 20.10.2012 OF THE THIRD RESPONDENT.

RESPONDENT'S EXTS:

- EXT.R4(a) TRUE COPY OF THE PROPOSED ROUGH ROUTE SKETCH OF THE LINE CONSTRUCTION WITH ALTERNATIVE ROUTE.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No. 27994 of 2012

Dated this the 1st day of July, 2015

J U D G M E N T

I do not find any illegality in Ext.P7 order passed in terms of Section 16 of the Indian Telegraph Act. The Additional District Magistrate had conducted a site inspection in the presence of parties and has assessed the viability of drawing the line along the two routes suggested. It was found that the route PQRSTM is circuitous whereas the route proposed along ABCDM is the shortest. The technical feasibility and the economic viability has been taken into consideration by the Additional District Magistrate in accepting the route ABCDM to draw the electric supply line. No case for interference under Article 226 of the Constitution of India has been made out by the petitioner.

The writ Petition fails, dismissed.

Sd/-
V.CHITAMBARESH,
Judge.

nj.