

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

WP(C).No. 30145 of 2010 (P)

PETITIONER:

ASIANET SATELLITE COMMUNICATIONS LTD.,
3RD FLOOR, KARIMPANAL ARCADE, EAST FORT,
TRIVANDRUM, REPRESENTED BY ITS EXECUTIVE (LEGAL)
MR. ALEX JOSE PAIKADA.

BY ADV. SRI. SAJI VARGHESE

RESPONDENTS:

1. THE KERALA STATE ELECTRICITY BOARD,
VYDYUTHI BHAVAN, PATTOM P.O., TRIVANDRUM,
REPRESENTED BY ITS SECRETARY.
 2. THE CHIEF VIGILANCE OFFICER,
KERALA STATE ELECTRICITY BOARD,
VYDYUTHI BHAVAN, THIRUVANANTHAPURAM.
 3. THE EXECUTIVE ENGINEER,
ELECTRICAL DIVISION,
THIRUVANANTHAPURAM.
 4. THE EXECUTIVE ENGINEER,
ELECTRICAL DIVISION, ATTINGAL.
 5. MR. SARATH CHANDRAN, KATTAKADA CABLE
NETWORK, KCN BUILDING, OPP. KULATHUMMEL
GOVT. SCHOOL, KATTAKADA JN., KATTAKADA.
 6. MR. SALIM HUSSAIN, NEDUMANGADU SATELLITE
CABLE VISION, 11TH STONE, NEDUMANGADU.
 7. MR. JIMMY MATHEW, WIRE & WIRELESS
INDIA PVT. LTD., TC 27/1264, CONVENT ROAD,
VANCHIYOOR, THIRUVANANTHAPURAM.
 - ADDL. 8. SUDHA S.L., AGED 34, W/O. SOBHANKUMAR,
SOLE PROPRIETOR, KATTAKADA CABLE NETWORK,
KCN BUILDING, OPP. KULATHUMMEL GOVERNMENT
SCHOOL, KATTAKADA JUNCTION, THIRUVANANTHAPURAM
RESIDING AT PUNNAMKONAM PUTHUBAL PUTHENVEEDU,
P.O. KATCHANI, THIRUVANANTHAPURAM.
- IS IMPEADED AS PER ORDER IN IA NO. 17750/2010 DATED 17.01.2011.
- R7 BY ADV. SRI. SERGI JOSEPH THOMAS
ADDL. R8 BY ADV. SRI. RAJIT
R, R1 TO 4 BY ADV. SRI. T.R. RAJAN, SC, K.S.E.B.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE 1ST GUIDELINE DATED 22.10.1998 ISSUED BY KSEB
- EXHIBIT P2 : TRUE COPY OF THE GUIDELINE DATED 18.10.2002 ISSUED BY KSEB
- EXHIBIT P3 : TRUE COPY OF THE ORDER OF THE BOARD DATED 5.11.2005 REJECTING PERMISSION TO DRAW CABLE BY ANOTHER OPERATOR THROUGH SAME POLE.
- EXHIBIT P4 : TRUE COPY OF THE AGREEMENT EXECUTED BY THE PETITIONER WITH 3RD RESPONDENT ON 30.06.2006.
- EXHIBIT P5 : TRUE COPY OF THE AGREEMENT EXECUTED BY THE PETITIONER WITH 4TH RESPONDENT ON 06.06.2006.
- EXHIBIT P6 : TRUE COPIES REPRESENTATION DATED 03.09.2010 FILED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.
- EXHIBIT P7 : TRUE COPIES REPRESENTATION DATED 03.09.2010 FILED BY THE PETITIONER BEFORE THE 4TH RESPONDENT.
- EXHIBIT P8 : TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN WP(C) NO. 26510 OF 2008.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 30145 OF 2010

Dated this the 3rd day of June, 2015

JUDGMENT

The allegation is that respondents 5 to 8 have unauthorisedly drawn television cables along the electric posts allotted to the petitioner in the electrical divisions of Thiruvananthapuram and Attingal. Ext.P6 representation in this regard is pending with the third respondent and Ext.7 representation in this regard is pending with the fourth respondent. The allegations are however emphatically denied by respondents 5 to 8 contending that television cables have been drawn along the electric posts allotted to them only.

2. I direct respondents 3 and 4 to consider Exts.P6 and P7 representations respectively. The same shall be done with notice to the petitioner and respondents 5 to 8 within a period of two months. Appropriate follow up action shall be taken depending on the orders to be passed on Exts.P6 and P7 representations without delay.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**