

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 5TH DAY OF FEBRUARY 2015/16TH MAGHA, 1936

WP(C).No. 28455 of 2014 (F)

PETITIONER(S):

MANGALAPURAM SUBRAMANIA SWAMY TEMPLE,
AZHAKOM P.O, MOOKKANNOOR, ANGAMALI - 683 577
REPRESENTED BY ITS SECRETARY - PRASANTH K.G

BY ADVS.SRI.S.MOHAMMED AL RAFI
SRI.M.V.ANANDAN

RESPONDENT(S):

1. THE KERALA STATE ELECTRICITY BOARD,
RERPESENTED BY ITS SCRETARY, PATTOM, VYDUTHI BHAVAN
THIRUVANANTHAPURAM 695 004
2. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION
KERALA STATE ELECTRICTIY BOARD, ANGAMALI 683 575
3. THE ADDITIONAL DISTRICT MAGISTRATE,
ERNAKULAM 682 030
4. SHANITHA ANILKUMAR,
VADAKETHIL HOUSE, AZHAKOM P.O, MOOKKANNOOR
ANGAMALI 683 577

R1-R2 BY ADV. SRI.SAJEEVKUMAR K.GOPAL,SC,KSEB
R4 BY ADV. SRI.C.K.KARUNAKARAN
R BY GOVERNMENT PLEADER SRI.GIKKU JACOB.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
05-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 28455 of 2014 (F)

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1 TRUE COPY OF THE ROUGH SKETCH SHOWING THE LIE AND NATURE OF
THE TEMPLE AND 4TH RESPONDENT'S PROPERTY

EXHIBIT P2 TRUE COPY OF THE ORDER DATED 23-10-2014 IN NO K.
DIS/50405/2012/MS, ISSUED BY THE 3RD RESPONDENT

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.28455 of 2014

Dated this the 5th day of February, 2015

J U D G M E N T

Ext.P2 order passed by the third respondent in terms of Section 16 of the Indian Telegraph Act is impugned. Respondents 1 and 2 have filed a statement producing along with it Ext.R2(a) sketch. Route 1 along ABC is in different levels and it is not feasible to draw electricity supply line along that. Route 2 along PQR is the most feasible where there are no trees or vegetations. The same is an open land connecting the temple and its pond. Route 3 along XYZ has to cross the property of another and is not feasible. Route 4 suggested by the petitioner has not been placed even before the third respondent in the proceedings.

2. I am satisfied that all the relevant inputs have been taken into consideration by the third respondent. The economic viability and the technical feasibility has also been taken into consideration in according approval. The acceptance of the route PQR by the third respondent cannot be faulted with in the circumstances. No grounds have been made to interfere with Ext.P2 order in this writ proceedings.

The writ Petition is dismissed.

Sd/-
V.CHITAMBARESH,
Judge.

nj.