

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

WP(C).No. 32700 of 2014 (J)

PETITIONER:

THE SECRETARY, KERALA PULAYAR MAHASABHA
SAKHA NO. 170, CHAMMINI, MALAYATTOOR.

BY ADV. SRI.M.R.NANDAKUMAR

RESPONDENTS:

1. THE ADDL. DISTRICT MAGISTRATE,
ERNAKULAM - 682 011.
2. THE ASSISTANT EXECUTIVE ENGINEER
ELECTRICAL SUB DIVISION, KSEB, KALADY - 683 574.
3. SRI.P.S.VIDYADHARAN, PERANTNEN HOUSE,
MALAYATTOOR - 683 587.
4. SRI.M.DEVASSYKUTTY, MANJALY HOUSE,
MALAYATTOOR - 683 587.
5. SRI.P.V.LALU, PARAVOOKARAN HOUSE,
MALAYATTOOR - 683 587.
6. SRI.K.V.POULOSE, KANNOTHAN HOUSE,
MALAYATTOOR - 683 587.
7. SRI.T.D.JOSE, THEIKKANATH HOUSE,
MALAYATTOOR - 683 587.
8. SRI.K.V.VARGHESE, KADAPARAMBHAN HOUSE,
MALAYATTOR - 683 587.
9. SRI.JOJY, SANKURICKAL HOUSE,
MALAYATTOR - 683 587.
10. SRI.DHANANJAYAN, MANGALATHPARAMBIL
HOUSE, MALAYATTOR - 683 587.

11. SRI.JOSE, VAREKKULAM HOUSE,
MALAYATTOR - 683 587.
12. SRI.K.P.JACOB (BABY), KADAPARAMBAN HOUSE,
MALAYATTOR - 683 587.
13. SRI.POLY T.J., THEIKKANATH HOUSE,
MALAYATTOOR - 683 587.
14. DEVASSY G.D., NJALIYAN HOUSE,
MALAYATTOR - 683 587.

R2 BY ADV. SRI.K.M.SATHYANATHA MENON,SC,KSEB
BY GOVERNMENT PLEADER SRI. T.R. RAJESH
BY SRI.SAJEEVKUMAR K.GOPAL,SC,KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 : TRUE COPY OF OBJECTION SUBMITTED BY THE PETITIONER
BEFORE THE 1ST RESPONDENT.
- EXHIBIT P2 : TRUE COPY OF THE SKETCH SHOWING ALTERNATE ROUTE.
- EXHIBIT P3 : TRUE COPY OF THE ORDER NO. K.DIS./45245/2014/M5 DATED
26/11/2014.

RESPONDENT(S)' EXHIBITS

- EXHIBIT R2(a) : TRUE COPY OF THE ROUGH SKETCH SHOWING THE EXISTING 11
KV LINE.

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 32700 OF 2014

Dated this the 6th day of February, 2015

JUDGMENT

Only an individual can object to the drawing of an electric supply line and not the Secretary of an Association as in the instant case. This is discernible from the scheme of the Indian Telegraph Act and the Works of Licensees Rules, 2006. There already exists a low tension line along the public pathway over which the 11 KV line is proposed to be drawn.

2. The present 11 KV line passes through the property of respondents 3 to 14 who sought shifting. The 11KV line is not being drawn over the property of the petitioner as apprehended. The line will be drawn along the public road causing no impediment for vehicular and pedestrian traffic. All the necessary inputs have been taken into consideration by the authorities and no interference in this writ jurisdiction is warranted.

The Writ Petition is dismissed. No costs.

**V. CHITAMBARESH
JUDGE**