

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. 36635 of 2010 (D)

PETITIONER:

C.P. THOMAS, AGED 76, S/O. LATE PATHROSE,
CHITHETHUYPARA, KOLENCHERY.

BY ADV. SRI. T. RAJESH

RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD REP. BY
ITS SECRETARY, VAIDHUTHI BHAVAN,
THIRUVANANTHAPURAM.
2. EXECUTIVE ENGINEER, KSEB,
KOLENCHERY DIVISION.
3. THE ASSISTANT EXECUTIVE ENGINEER,
KSEB KOLENCHERY DIVISION.
4. THE ADDITIONAL DISTRICT MAGISTRATE,
ERNAKULA CIVIL STATION, KAKKANAD.

R1-3 BY ADV. SRI. SAJEEVKUMAR K. GOPAL, SC, KSEB

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 1 : TRUE COPY OF THE PHOTOGRAPH SHOWING THE INSTALLATION OF THE TRANSFORMER INSIDE THE PETITIONER'S PROPERTY.
- EXHIBIT P2 : A TRUE COPY OF THE REPRESENTATION DATED NIL ON FEBRUARY 2010.
- EXHIBIT P3 : A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 3RD AND 4TH RESPONDENTS.

RESPONDENT(S) EXHIBITS

- ANNEXURE R1(a) : TRUE COPY OF THE ROUGH SKETCH SHOWING THE LOCATION.
- ANNEXURE R1(b) : TRUE COPY OF THE ROUGH ESTIMATED PREPARED BY THE ASSISTANT ENGINEER, ELECTIRCAL SECTION, KOLENCHERY.

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 36635 OF 2010

Dated this the 3rd day of June, 2015

JUDGMENT

The petitioner seeks to shift a transformer installed in his property about two decades ago. A new location has been found on consensus whereby the transformer can be shifted to the road on the side of the property of the petitioner.

2. Respondents 1 to 3 have filed a statement dated 02.09.2014 in the writ petition pointing out that the petitioner is agreeable to the location as well as to remit labour charges for shifting. The petitioner is even otherwise obliged to remit the labour charges as per Clause 95(4)(c) of the Kerala Electricity Supply Code, 2014.

3. I therefore direct respondents 1 to 3 to shift the transformer as sought on the petitioner remitting the charges demanded for the same. The transformer can be shifted to the place located in Ext.R1(a) sketch produced along with the statement dated 02.09.2014.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**