

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

WEDNESDAY, THE 21ST DAY OF OCTOBER 2015/29TH ASWINA, 1937

Con.Case(C).No. 1195 of 2015 (S)

WP(C) 30528/2014, DATED 18-11-2014

PETITIONER(S):

**XAVIER GEORGE N.J,
NADUVILE HOUSE, LFC ROAD, NORTH KALOOR,
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.J.JULIAN XAVIER
SRI.FIROZ K.ROBIN**

RESPONDENT(S):

**MR. V.R RAJU,
S/O.V.C. RAJAN, PRESENTLY WORKING AS THE SECRETARY,
CORPORATION OF COCHIN, ERNAKULAM - 682 011.**

**R1 BY ADVS. SRI.V.E.ABDUL GAFOOR
SRI.C.Y.VINOD KUMAR**

**THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 21-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

Con.Case(C).No. 1195 of 2015 (S)

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE 1: CERTIFIED COPY OF THE JUDGMENT DATED 18/11/14 IN
WPC.30528/2014**

ANNEXURE 2: TRUE COPY OF THE LEGAL NOTICE DATED 21/2/15

ANNEXURE 2(A): POSTAL RECEIPT.

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.B.SURESH KUMAR, J.

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in

W.P.(C)No.30528 of 2014

Dated this the 21st day of October, 2015

JUDGMENT

As per the judgment in W.P.(C).No.30528 of 2014, I have directed the Corporation of Cochin to consider the representation submitted by the petitioner to erect a new name board for the Little Flower Church Road, within its limits. In this Contempt of Court case instituted alleging wilful disobedience of the said direction, the Corporation of Cochin has filed an affidavit stating that though the officials of the Corporation have attempted to erect a new name board as requested for by the petitioner, the same could not

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be erected on account of the objection of the local people and that the police is not aiding the Corporation to erect the name board. Para 5 of the affidavit filed by the Corporation reads thus:

"5. It is submitted that for complying the direction of this Hon'ble Court, on 09.10.2015, the Assistant Engineer, Kochi Corporation, Edappally Zonal Office along with the Corporation staff and two policemen from Ernakulam Town North Police Station had reached Kaloore Junction and removed the illegally erected name board. While they were trying to erect the original name board (LFC Road), some people rushed to the spot and obstructed the erection of new board. There arose a law and order situation. The Sub Inspector of Police, ET North Police Station, who reached the spot, opined that the erection of new board might create communal conflict in the area. Therefore the Corporation Officials returned without erecting the new board."

Since this Court had only directed the Corporation to consider the representation submitted by the petitioner to erect a new name board for the road referred to above and since the Corporation has decided to erect a new name

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board as requested for by the petitioner, there is no justification to continue this Contempt of Court proceedings and the same is, accordingly, closed without prejudice to the right of the petitioner to move appropriate forum for redressal of his grievances concerning the inability of the Corporation to implement its decision.

P.B.SURESH KUMAR, JUDGE.

smm