

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

Con.Case(C).No. 1624 of 2012 (S) IN WP(C).14358/2012

**-----
IN WP(C) 14358/2012 of HIGH COURT OF KERALA DATED 20-06-2012
-----**

PETITIONER(S):

**AMMINIKUTTY JOHNY, AGED 65 YEARS
'BIJU BHAVAN', CHEMMANTHUR, PUNALUR
KOLLAM DISTRICT.**

BY ADV. SRI.P.K.BABU

RESPONDENT(S):

**SASEENDHRAN,, AGED 51 YEARS
(FATHERS NAME NOT KNOWN TO THE PETITIONER)
EXECUTIVE ENGINEER, HIGHWAY AUTHORITY
NATIONAL HIGHWAY OFFICE, KOLLAM-691001.**

**R1 BY ADV. SRI.P.SANTHOSH KUMAR (PANAMPALLI NAGAR)
BY ADV. SRI.K.P.CHANDRASEKHAR**

**THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD
ON 11-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Con.Case(C).No. 1624 of 2012 (S) IN WP(C).14358/2012

APPENDIX

PETITIONER(S) ANNEXURE :

**ANNEXURE A1 : CERTIFIED COPY OF THE JUDGEMENT DATED
20.06.2012 IN W.P.C.NO.14358/2012**

**ANNEXURE A2 : TRUE COPY OF THE LETTER DATED 21-06-2012 SENT
TO THE RESPONDENT.**

RESPONDENT(S)' ANNEXURE : NIL

/TRUE COPY/

PA TO JUDGE

VS

T.R.RAMACHANDRAN NAIR, J.

Con.Case.No.1624 of 2012

Dated this the 11th day of August, 2015

JUDGMENT

The writ petitioner approached this Court by filing W.P.(C).No.14358/2012 wherein a direction was issued to the second respondent to consider the grievances raised by the petitioner in Ext.P5, after hearing the petitioner and communicate the decision thereon to the petitioner within a period of six weeks from date of production of a copy of the judgment. Alleging violation of the directions of this Court, the contempt case has been filed.

2. Heard.

3. The learned counsel for the respondent stated that in compliance of the directions in the judgment, the respondent conducted a personal hearing on 30.07.2012 and due notice has been given to the petitioner and the petitioner's representative was heard on that day. The officers of the Sub division were also present. It is also stated that the land in Survey

Number.418/1/Pt mentioned in Ext.P5 petition has already been surveyed and demarcated on 22.06.2012, in the presence of the Tahsildar, Taluk Surveyor and Police and 35 square meters of 'Puramboke' land, which was unauthorizedly occupied by the petitioner was evicted and taken to the possession of the Government. Communication was also given to the petitioner.

In the light of the above facts, it is not a fit case for proceeding under the Contempt of Courts Act. Of course, the petitioner has got a case that the portion of the building was demolished. If any grievances are still there, in relation to any of those matters, it is up to the petitioner to approach the appropriate forum. Since it is not a fit case, for proceeding under the Contempt of Court Act, the same is dismissed.

Sd/-
T.R.RAMACHANDRAN NAIR,
JUDGE

VS