

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

MONDAY, THE 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

WA.No. 2575 of 2015 (D)

(AGAINST THE INTERIM ORDER IN WP(C) 30635/2015 DATED 08-10-2015)

APPELLANT/4TH RESPONDENT:

**GEORGE K.VARKY, AGED 70 YEARS,
S/O. VARKY, KARACHIRA VEEDU,
THANEERMUKKAM NORTH,
CHERTHALA, ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.V.JAYAPRADEEP
SRI.V.JAYADHAR
SMT.S.LEKHA (THENGAMAM)**

RESPONDENTS/PETITIONER & RESPONDENTS 1 TO 3:

- 1. ALEXANDER.K.C, AGED 56 YEARS,
S/O. CHANDY, KEEZHATH HOUSE, APOLLO ROAD,
THAMMANAM, KOCHI-682 032.**
- 2. CORPORATION OF KOCHI,
CENTRAL OFFICE, PARK AVENUE ROAD,
ERNAKULAM-682 011.**
- 3. THE SECRETARY,
CORPORATION OF KOCHI, CENTRAL OFFICE,
PARK AVENUE ROAD, ERNAKULAM-682 011.**
- 4. THE ASSISTANT EXECUTIVE ENGINEER,
VYTTILA CORPORATION OFFICE-SOUTH ZONE,
VYTTILA, ERNAKULAM-682 019.**

**R1 BY ADV.SRI.ASWIN GOPAKUMAR
R2 TO R4 BY ADV.SRI.K.J.MANU RAJ**

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 07-12-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

W.A.NO.2575/2015

APPENDIX

PETITIONER'S ANNEXURES:

- ANNEX A1** CERTIFIED COPY OF THE NEWS PAPER ITEM PUBLISHED IN DEEPIKA DAILY DATED 25/11/2015.
- ANNEX A2** COPY OF THE REPLY AFFIDAVIT FILED BY THE 1ST RESPONDENT/WRIT PETITIONER IN THE WRIT PETITION
- ANNEX A3** COPY OF THE REPORT OF THE ADDITIONAL TAHSILDAR, KANAYANNOOR TALUK, DATED 16/11/2011
- ANNEX A4** COPY OF THE REPORT OF THE ADVOCATE COMMISSIONER DATED 06/06/2014 IN O.S.357/2012 & O.S. 404/2011 OF THE MUNSIF COURT, ERNAKULAM
- ANNEX A5** COPY OF THE COUNTER AFFIDAVIT OF THE KOCHI MUNICIPAL CORPORATION DATED 18/04/2012 IN O.S.357/2012 OF THE MUNSIF COURT, ERNAKULAM.

RESPONDENT'S ANNEXURES: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

*** * * * ***

W.A.No.2575 of 2015

Dated this the 7th day of December 2015

J U D G M E N T

Ashok Bhushan, J

This writ appeal has been filed against the interim order dated 08/10/2015 in W.P.C.No.30635/2015 by which the learned Single Judge directed that status quo to be maintained for a period of one month.

2. The learned counsel for the appellant submits that the said order has further been extended. It is submitted that the appellant, who was the 4th respondent in the writ petition has already filed a counter affidavit and an application for vacating the interim order, which is pending consideration.

3. In view of the aforesaid, we see no reason to entertain this writ petition. The appellant may pursue his application for vacating the interim order or request the learned Single Judge to dispose of the writ petition itself.

With this observation, this writ appeal is dismissed.

(sd/-)

(ASHOK BHUSHAN, CHIEF JUSTICE)

(sd/-)

(A.M.SHAFFIQUE, JUDGE)

True Copy

PA to Judge

jsr/07/12/2015