

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No. 329 of 2015 (M)

PETITIONER:

**A.K. VARGHESE, AGED 65 YEARS,
S/O.LATE KUNJUAVIRAHA, AREECKAL HOUSE,
CHERIAVAPPALASSERY, ANGAMALY SOUTH P.O.,
ERNAKULAM - 683 573.**

**BY ADVS. SRI.SHAJI P.CHALY
SRI.SANJITH.R**

RESPONDENT(S):

- 1. THE COCHIN INTERNATIONAL AIRPORT LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
KOCHI-683 111.**
- 2. THE MANAGING DIRECTOR,
COCHIN INTERNATIONAL AIRPORT LTD,
KOCHI AIRPORT P.O., ERNAKULAM-683 111.**
- 3. IGNATIUS VARGHESE, AGED 43 YEARS,
S/O. LATE VARGHESE, AREECKAL HOUSE,
CHERPPALASSERY, ANGAMALY, ERNAKULAM-683573.**
- 4. THE TAXI OPERATORS CO-OPERATIVE SOCIETY LTD.,
THE COCHIN INTERNATIONAL AIRPORT LTD.,
NEDUMBASSERRY, KOCHI AIRPORT P.O.,
ERNAKULAM-683 111, REPRESENTED BY ITS SECRETARY.**

R1 & R2 BY SRI.M.GOPIKRISHNAN NAMBIAR, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 329 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT P1- TRUE COPY OF THE FORM D CONTAINS LAND ACQUISITION
CERTIFICATE BEARING NO'S. LAC 38/95, 39/95 AND 148/98.**

**EXHIBIT P2- TRUE COPY OF THE COMPLAINT DATED 24-01-2013 OF THE
PETITIONER.**

**EXHIBIT P3- TRUE COPY OF THE JUDGMENT DATED 20-06-2014 IN
WPC NO. 9998/2014.**

**EXHIBIT P4- TRUE COPY OF THE JUDGMENT DATED 14-11-2014 IN
WPC NO. 30280/2014.**

RESPONDENT(S)' EXHIBITS: - **NIL**

/TRUE COPY/

P.A. TO JUDGE

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P.R. RAMACHANDRA MENON, J.

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Dated this the 7th day of January, 2015

JUDGMENT

The petitioner has approached this Court with the following reliefs:

i) To issue a writ of mandamus and command respondents 1 and 2 to cancel the taxi permits/vehicle pass bearing No.247, unauthorisedly and unlawfully held by the 3rd respondent with immediate effect.

ii) To issue a writ of mandamus and command respondents 1 and 2 to take necessary steps to grant taxi permit to the petitioner or his relatives within a time frame to be fixed by this Honourable Court.

iii) To issue a writ of mandamus and command respondents 1 and 2 to pass final orders on Exhibit P2 preferred by the petitioner against the 3rd respondent within a time frame to be fixed by this Honourable Court.

iv) To pass any other and such other orders as this Honourable Court deem fit to pass in the nature and circumstances of the case.

v) To award the cost of this proceedings.

2. The learned counsel for the petitioner submits that the property belonging to the father of the petitioner was acquired for setting of the Airport Complex and that there was some 'memorandum of understanding' to the effect that the persons from whom property was

acquired, will be considered for granting taxi permit, once the Airport is set in operation. The grievance of the petitioner is that, making some misrepresentation, the 3rd respondent had approached the 1st and 2nd respondents and obtained the permit stating that he was a near relative of the deceased father of the petitioner. This made the petitioner to approach the 1st and 2nd respondents by filing Ext.P2 complaint. Till date, no positive action has been taken, and hence, the writ petition.

3. Heard the learned Standing Counsel appearing for the respondents 1 and 2 as well.

4. In view of the limited extent of relief proposed to be given, this Court does not find it necessary to issue notice to the 3rd and 4th respondents for the time being.

The writ petition is disposed of, directing the 2nd respondent to consider Ext.P2 and pass appropriate orders after affording an opportunity of hearing to the

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petitioner as well as the respondents 3 and 4. The proceedings as above shall be finalised at the earliest, at any rate within two months from the date of receipt of a copy of this judgment. The petitioner shall produce a copy of this judgment along with a copy of the writ petition before the second respondent.

Sd/-
P.R. RAMACHANDRA MENON
JUDGE

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