

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

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

WP(C) .No. 399 of 2015 (Y)

PETITIONER(S) :

A.SANTHOSH KUMAR AGED 44 YEARS
S/O.APPUKUTTAN NAIR, HINDU, RESIDING AT A.K.NIVAS
VANIYATHU LANE, CHENGALLOOR, POOJAPPURA
THIRUVANANTHAPURAM.

BY ADVS.SRI.M.RAMASWAMY PILLAI
SMT.PREETHY R. NAIR

RESPONDENT(S) :

1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY
LOCAL SELF GOVERNMENT DEPARTMENT
GOVERNMENT SECRETARIAT, TRIVANDRUM - 695 001.
2. THE CORPORATION OF TRIVANDRUM,
REPRESENTED BY ITS SECRETARY, CORPORATION OFFICE
THIRUVANANTHAPURAM - 695 001.

R1 BY GOVERNMENT PLEADER SMT.SANJEETHA K.A
R2 BY SRI.P.K.MANOJKUMAR,SC,TVPM CORPORATION

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

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1 : TRUE COPY OF THE LICENCE ISSUE BY TRIVANDRUM CORPORATION.

EXT.P1 (A) : ENGLISH TRANSLATION OF EXHIBIT P1

EXT.P2 : TRUE COPY OF THE IDENTITY CARD ISSUED BY THE TRIVANDRUM CORPORATION

EXT.P2 (A) : ENGLISH TRANSLATION OF EXHIBIT P2

EXT.P3 : PHOTOCOPY OF PROPOSED ROUGH PLAN

EXT.P4 : TRUE COPY OF REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE SECRETARY OF TRIVANDRUM CORPORATION ON 27/12/2014.

EXT.P4 (A) : ENGLISH TRANSLATION OF EXHIBIT P4

RESPONDENT(S) ' EXHIBITS NIL

//TRUE COPY//

P.A TO JUDGE

vdv

DAMA SESHADRI NAIDU, J.

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W.P(C) No.399 of 2015

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Dated this the 07th day of January, 2015

JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader, as well as the learned Standing Counsel for the 2nd respondent, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. Briefly stated, the petitioner was initially doing business having a petty shop (bunk) in front of the LBS Engineering College, Poojappura, Thivandrum, said to be with the permission of the Corporation of Trivandrum. When it was removed by the Corporation, the authorities, pleads the petitioner, orally assured the petitioner that he would be given an alternative shop as and when shops are constructed. The grievance of the petitioner is that though subsequently shops have been constructed, despite repeated requests by

the petitioner, the authorities have not allotted any shop to the petitioner, but, on the other hand, they have gone ahead with the auctioning of the shops. Under those circumstances the petitioner is said to have made Ext.P4 representation before the 2nd respondent. Complaining of its non-consideration, the petitioner has approached this Court.

3. In the facts and circumstances having regard to the respective submissions of the learned counsel for the petitioner and the learned Standing Counsel for the 2nd respondent, this Court, without expressing any opinion on the merits of the matter, disposes of the writ petition with a direction to the 2nd respondent to consider the petitioner's Ext.P4 representation in accordance with law and pass appropriate orders thereon as expeditiously as possible, at any rate, within six weeks from the date of receipt of a copy of this judgment.

Sd/-
DAMA SESHADRI NAIDU, JUDGE