

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 5TH DAY OF FEBRUARY 2015/16TH MAGHA, 1936

WP(C).No. 2097 of 2014 (J)

PETITIONER(S):

BABY, AGED 73 YEARS
S/O. LATE AVARA, KOLARICKAL HOUSE, PUTHAMPALLY
VARAPUZHA, ERNAKLAM-683517.

BY ADVS.SRI.JOHNSON MANAYANI
SRI.BENHUR JOSEPH MANAYANI
SRI.JEEVAN MATHEW MANAYANI

RESPONDENT(S):

1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO REVENUE, SECRETARIAT
THIRUVANANTHAPURAM-695001.
2. THE MANAGING DIRECTOR
KOCHI METRO RAIL, KOCHI METRO RAIL
REGISTERED OFFICE AT 8TH FLOOR, REVENUE TOWERS
PARK AVENUE, KOCHI-682 011.
3. THE DISTRICT COLLECTOR,
KAKKANADU.P.O., ERNAKULAM-682 013.
4. THE TAHSILDAR
KANAYANNUR TALUK, TALUK OFFICE, ERNAKULAM-682011.

R2 BY ADV. SRI.K.JAJU BABU (SR.)
R2 BY ADV. SMT.M.U.VIJAYALAKSHMI, SC, KOCHI METRO RAIL LTD.
R BY GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
05-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 2097 of 2014 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 TRUE COPY OF THE NOTICE ISSUED BY THE ADDITIONAL TAHSILDAR
KANAYANNUR TALUK DATED 12.12.2013.
- EXT.P2 TRUE COPY OF W.P.(C) NO.31100 OF 2013 FILED BEFORE THE
HON'BLE HIGH COURT OF KERALA.
- EXT.P3 TRUE COPY OF THE JUDGMENT IN W.P.(C) NO.31100/2013 DATED
16.12.2013 OF THE HON'BLE HIGH COURT.
- EXT.P4 TRUE COPY OF THE ORDER DATED 26.12.2013 OF THE FOURTH
RESPONDENT.
- EXT.P5 TRUE COPY OF W.P.(C) NO.185/2014 WITHOUT THE EXHIBITS FILED
BEFORE THE HON'BLE HIGH COURT OF KERALA.
- EXT.P6 TRUE COPY OF THE JUDGMENT IN W.P.(C) NO.185/2014 DATED
2.1.2014 OF THE HON'BLE HIGH COURT OF KERALA.
- EXT.P7 TRUE COPY OF THE PETITION FILED BY THE PETITIONER BEFORE
RESPONDENTS 1 TO 4 DATED 3.1.2014.
- EXT.P8 TRUE COPY OF THE MAHAZAR PREPARED BY THE VILLAGE OFFICER
ERNAKULAM DATED 7.1.2014.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.2097 of 2014

Dated this the 5th day of February, 2015

J U D G M E N T

The petitioner was an occupier of Government land conducting a nursery. The petitioner contends that the occupation was legal and that he was issued a licence. The second respondent refutes the claim contending that the petitioner is a ranked trespasser.

2. Ext.P7 representation has been submitted by the petitioner to the third respondent and others. The petitioner has sought compensation in addition to allocation of alternate site therein.

3. I direct the third respondent to consider Ext.P7 representation with notice to the petitioner as well as the second respondent. The needful shall be done within a period of two months from the date of production of a copy of this judgment.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.