

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

WP(C).No. 5329 of 2011 (M)

PETITIONER(S):

1. C.P.UMMER,
'JASSIM'S', ELAYAVOOR, P.O.THAZHE CHOWWA,
KANNUR DISTRICT-670 018.
2. M.T.RAFEEK, 'SHUKRIYA',
AYIKKARA POOVALAPPU, KANNUR-670 017.
3. S.ABDUL LATHEEF, NEAR ENGLISH CHURCH,
ANJUKANDY ROAD, KANNUR-670 017.
4. V.K.ABDUL HAMEED, 'RAMLAS',
MUZHATHADAM, P.O.CIVIL STATION,
KANNUR-670 002.
5. C.HASSAN KUNHI, P.M.HOUSE,
NEAR RAILWAY GATE, ANAYIDUKE,
KANNUR-670 012.
6. P.M.AMINA, RASHEEDA MANZIL,
CHALAD, PANNIKKAL, KANNUR-670 014.
7. C.P.SALAM, 'DARUL MANAR',
P.O.KOTTAI, KANNUR DISTRICT.
8. M.T.ABDUL MAJEED, 'TAMITTON HOUSE',
AYIKKARA POOVALAPPU, KANNUR-670 017.
9. O.C.SHAKUNTHALA, 'FIELD VIEW',
THAVAKKARA, KANNUR DISTRICT-670 001.
10. M.T.SALEEM, 'DARUL HUDHA',
KANNOTHUMCHAL, P.O.CHOVVA,
KANNUR DISTRICT.

**BY ADVS.SRI.M.RAMESH CHANDER
SMT.K.A.SANJEETHA**

WP(C).NO.5329/2011

RESPONDENT :

**KANNUR MUNICIPALITY,
KANNUR-670 001, REPRESENTED BY ITS SECRETARY.**

**BY SRI.K.K.CHANDRAN PILLAI,SENIOR ADVOCATE
ADVS. SRI.A.S.SAJUSH PAUL
SRI.THOMAS JAMES MUNDACKAL
SRI.BOBMY THOMAS
SRI.TONY THOMAS (INCHIPARAMBIL)
SMT.S.AMBILY**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 13-11-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

WP(C).NO.5329/2011

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE JUDGMENT IN WP(C).NO.8303/08 DATED 10/9/2009**
- P2 COPY OF THE NOTICE ISSUED BY MUNICIPALITY DATED 8/10/2009**
- P3 COPY OF THE REPRESENTATION GIVEN ONE OF THE PETITIONERS TO THE RESPONDENT DATED 10/3/2010**
- P4 COPY OF THE ACKNOWLEDGMENT ISSUED ON BEHALF OF THE KANNUR MUNICIPALITY BY REVENUE INSPECTOR DATED 10/3/2010**
- P5 COPY OF THE COMMISSION REPORT AND PLAN DATED 19/5/2010**
- P6 COPY OF THE COUNTER AFFIDAVIT FILED BY THE MUNICIPALITY IN WP(C). NO.8303/08 DATED 23/8/2008**
- P7 COPY OF THE REPRESENTATION FILED BY PETITIONERS ALONG WITH OTHERS DATED 30/12/2010**
- P8 COPY OF THE NEWS REPORT WHICH CAME IN MADHYAMAM DAILY DATED 9/6/11**

RESPONDENT'S EXHIBITS:

NIL

/TRUE COPY/

P.S.TO JUDGE

sts

A.M. SHAFFIQUE, J.

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W.P. (C) No. 5329 of 2011

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Dated this, the 13th day of November, 2015

J U D G M E N T

Petitioners have approached this Court seeking for a direction to take immediate steps to demolish the entire Central Market and take steps for reconstruction of the same and allot them to the evictees as directed in Ext.P1 judgment dated 10/9/2009 in WP(C) No.8303/2008

2. It is submitted that the demolition has been completed and the entire work of the building except electrification and plumbing is to be completed. Learned counsel for the petitioners submits that appropriate directions may be given to the Municipality to complete the construction and make the allotments as early as possible.

3. Having regard to the fact that the construction has already been completed except for plumbing and electrification work, the Municipality will have to take appropriate measures to ensure that the building is constructed and completed with all facilities within the specified time frame.

W.P(C) No.5329/11

-:2:-

4. Accordingly, there will be a direction to the Municipality to ensure that the building is completed in its entirety within a period of nine months from the date of receipt of a copy of this judgment.

Writ petition is disposed of as above.

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp

13/11/2015

//True Copy//

P.S to Judge