

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

WP(C).No. 2601 of 2015 (A)

PETITIONER:

JAFFAR, S/O.HYDROSE,RESIDING AT KURUDOMPARAMBIL HOUSE,
IQBAL ROAD, E.P.NO.9/145, EDAVANAKAD P.O., KOCHI-682 502.

BY ADVS.SRI.B.KRISHNA MANI
SRI.K.A.SHAJI MATHEW

RESPONDENT(S) :

- 1.THE EDAVANAKAD GRAMA PANCHAYAT, REPRESENTED BY ITS SECRETARY,
EDAVANAKAD, ERNAKULAM DISTRICT-682 502.
- 2.THE CIRCLE INSPECTOR OF POLICE, JANAMYTHRI POLICE STATION,
NJARAKKAL, ERNAKULAM DISTRICT-682 505.
- 3.ERNAKULAM DISTRICT AUTORICKSHAW DRIVERS'ASSOCIATION,ANIYAL UNIT,
REPRESENTED BY THE SECRETARY,ANIYAL, EDAVANAKKAD
PANCHAYAT,ERNAKULAM DISTRICT-682 502.

R1 BY ADV. SMT.P.A.SULEKHA
R2 BY GOVERNMENT PLEADER SMT.ANITHA RAVEENDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 20-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

P.T.O

WP(C).No. 2601 of 2015 (A)

APPENDIX

PETITIONER(S) ' EXHIBITS:

EXHIBIT P1- TRUE COPY OF REPRESENTATION DATED 17.01.2015 SUBMITTED BY
THE PETITIONER BEFORE THE FIRST RESPONDENT.

EXHIBIT P2- TRUE COPY OF THE RECEIPT DATED 17.01.2015 ALONG WITH
ENGLISH TRANSLATION.

EXHIBIT P3- TRUE COPY OF THE REPRESENTATION BEFORE THE 2ND RESPONDENT
DATED 15.01.2015.

RESPONDENT(S) ' EXHIBITS: NIL

//TRUE COPY//

P.S.TO JUDGE

atg/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 2601 of 2015

Dated this the 20th day of July, 2015.

JUDGMENT

The petitioner is aggrieved by the unauthorised parking of vehicles in front of the petitioner's building obstructing his ingress and egress.

2. The petitioner is the absolute owner in possession of 9.562 cents of land in Re-Sy.No.257/10, 13, Block No.4 of Edavanakad Village. The petitioner alleges that the same is located on the eastern side of V.P. Road near Aniyal Bus Stop. In the above property, the petitioner has constructed a two storied building. There are four shop rooms in the ground floor. The entry into the building is from the aforementioned road. Thus, if vehicles are parked in front of the building, it would be impossible to enter into the same. Right in front of the building in question there is an illegal autorikshaw stand established by the members of the third respondent herein completely blocking the ingress and egress to the petitioner's

building causing much hardships and inconvenience to the tenants and customers; it is alleged. Exts.P1 and P3 representations to respondents 1 and 2 have evoked no response; it is alleged. It is with this background, the petitioner has come up before this Court.

2. Though notice has been served on the third respondent, there is no response.

3. I have heard the learned counsel for the petitioner and the learned Government Pleader in the matter.

4. As it was submitted by the learned counsel for the petitioner that Ext.P1 representation is pending before the first respondent, this Court is of the view that it is just and proper to direct the first respondent to consider Ext. P1 representation within a time frame.

Therefore, the writ petition is disposed of directing the first respondent to consider and pass appropriate orders on Ext.P1 representation, after affording the petitioner and affected parties, if any, an opportunity of being heard, within

a period of two weeks from the date of receipt of a copy of this judgment.

To facilitate an early action, it shall be open to the petitioner to produce a copy of the writ petition, a copy of this judgment and a copy of Ext.P1 representation before the first respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.