

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 16TH DAY OF OCTOBER 2015/24TH ASWINA, 1937

WP(C).No. 3823 of 2014 (C)

PETITIONER(S) :

MANOJ V.NAIR
VIJAYA BHAVANAM, MURUNTHAL, PERINAD P.O.
KOLLAM - 691 601.

BY ADVS.SRI.SHABU SREEDHARAN
SRI.TONY THOMAS (INCHIPARAMBIL)
SRI.C.L.DAVIS
SMT.RESHMA ABDUL RASHEED

RESPONDENT(S) :

1. THE SENIOR DIVISIONAL RETAIL SALES MANAGER,
INDIAN OIL CORPORATION, TRIVANDRUM DIVISIONAL OFFICE,
PREMIER PARK, VALLAKADAVU P.O.,
THIRUVANANTHAPURAM - 695 008.
2. THE DISTRICT COLLECTOR,
KOLLAM - 691 013.
3. THE EXECUTIVE ENGINEER,
PWD (NATIONAL HIGHWAYS), KOLLAM - 691 001.
4. THE ASSISTANT ENGINEER,
PWD (ROADS) SECTION, KOLLAM - 691 001.

*ADDL. R5 IMPEADED

R5. JOSEPH TITUS,
S/O.JOSEPH DOMINIC, BOBI LAND, MATHILIL PO.
PERIYANADU, KOLLAM DISTRICT.

(*ADDL.R5 IS IMPEADED AS PER ORDER DATED 03.12.2014 IN IA 12278/14)

R2 & 4 BY GOVERNMENT PLEADER SRI.MANOJ P. KUNJACHAN
R5 BY ADV. SRI.ALIAS M.CHERIAN
BY SRI.M.GOPIKRISHNAN NAMBIAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT. P1. THE TRUE COPY OF THE LETTER DATED 10.09.2012 ISSUED BY THE 1ST RESPONDENT.
- EXT. P2. TRUE COPY OF LETTER OF INTENT DATED 08.11.2012.
- EXT. P3. THE TRUE COPY OF THE LOCATION PLAN ALONG WITH THE LAY OUT PLAN.
- EXT. P4. THE TRUE COPY OF THE REQUEST LETTER ISSUED BY THE 1ST RESPONDENT DATED 10.05.2013.
- EXT. P5. THE TRUE COPY OF THE LETTER ISSUED BY THE 2ND RESPONDENT DATED 25.05.2013.
- EXT. P6. THE TRUE COPY OF THE REPORT DATED 13.06.2013 ISSUED BY THE 4TH RESPONDENT.
- EXT. P7. THE TRUE COPY OF THE LETTER DATED 18.07.2013 ISSUED BY THE 2ND RESPONDENT.
- EXT. P8. THE TRUE COPY OF THE LETTER ISSUED BY THE 1ST RESPONDENT DATED 21.10.2013.
- EXT. P9. THE TRUE COPY OF THE LETTER DATED 07.01.2014 ISSUED BY THE 2ND RESPONDENT.
- EXT. P10. THE TRUE COPY OF THE LETTER NO.26/14 DATED 16/09/2014.
- EXT. P11. THE RELEVANT NEWS REPORTED IN THE THIRUVANANTHAPURAM EDITION OF HINDU DAILY NEWSPAPER DATED 27/06/2014.
- EXT. P12. THE TRUE COPY OF THE REPORT.
- EXT. P13. THE TRUE COPY OF THE REPRESENTATION DATED 12/02/2013.
- EXT. P14. THE TRUE COPY OF THE REPRESENTATION DATED 06/01/2014.
- EXT. P15. THE TRUE COPY OF THE RELEVANT NEWS ITEMS PUBLISHED IN THE MATHRUBHUMI NEWS PAPER DATED 15/07/2014.
- EXT. P16. THE TRUE COPY OF CIRCULAR DATED NIL.
- EXT. P17. THE TRUE COPY OF THE RELEVANT PORTION OF THE NOTICE PUBLISHED IN THE HINDU NEWS PAPER DATED 03/07/2012.
- EXT. P18. THE TRUE COPY OF THE REQUEST DATED 15/05/2015 WITH THE THE REVISED PLAN.
- EXT. P19. THE TRUE COPY OF THE PLAN SUBMITTED ON 24/08/2015.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 3823 of 2014

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Dated this the 16th day of October, 2015

J U D G M E N T

The petitioner approached the District Collector for issuance of NOC to install Retail Outlet, this was not granted.

2. The petitioner again made a revised plan (Ext.P18).

3. This Court is of the view that Ext.P18 shall be considered by the District Collector after hearing the petitioner, National Highway Authority and the additional impleading 5th respondent in accordance with the law within one month from the date of receipt of the copy of this judgment.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE