

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 23RD DAY OF FEBRUARY 2015/4TH PHALGUNA, 1936

WP(C).No.7084 of 2013 (I)

PETITIONER:

**RIYAS, AGED 36 YEARS, S/O.N.P.ABOOBACKER,
M/S.TRITAN ADVERTISING COMPANY,
"MIRWAZ", CUSTOMS ROAD, VADAKARA.**

BY ADV.SRI.T.G.RAJENDRAN

RESPONDENT:

**SECRETARY, KODUVALLY GRAMA PANCHAYATH,
KODUVALLY-673 572.**

**BY ADVS.SRI.K.M.FIROZ
SMT.M.SHAJNA**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No.7084 of 2013 (I)

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1: COPY OF THE ORDER OF THE RESPONDENT DATED 23/12/2009.

**EXHIBIT P2: COPY OF THE REPRESENTATION SENT BY THE PETITIONER
BEFORE THE RESPONDENT DATED 9/1/2013.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

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A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.7084 of 2013

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Dated this the 23rd day of February, 2015

JUDGMENT

The petitioner is the proprietor of an advertising company named Tritan Advertising Company, Mavoor Road, Kozhikode. The respondent panchayat invited tenders for proposal of construction of illuminated bus waiting shelter of Koduvally bus stand owned by the panchayat. Petitioner is the successful bidder. By Ext.P1, the respondent informed the petitioner that the panchayat had passed a resolution granting permission for construction of illuminated bus waiting shelter in the bus stand of respondent panchayat for a period of 10 years. Petitioner initially wanted the advertisement for 15 years. However, it was restricted to 10 years by the panchayat.

2. Accordingly, the petitioner commenced the work and he was maintaining the bus shelter properly in the manner in which the panchayat desired; it is alleged. There is no complaint from any quarters regarding the same. While so, certain other advertisements appeared in the bus shelter. On enquiry it was

understood that it was on account of the permission given by the respondent panchayat. The petitioner immediately sent Ext.P2 representation to the respondents on 9.1.2013 requesting them to remove the advertisement boards other than those maintained by him. However, the respondents have not taken any steps. It is with this background, the petitioner has come up before this Court.

3. When the matter came up for hearing, the learned counsel for the petitioner submitted that the petitioner shall be satisfied if a direction be given to the respondent to consider and pass orders on Ext.P2.

Therefore, the writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P2 after affording the petitioner an opportunity of being heard if the same has not been already disposed of. This shall be done within a period of one month from the date of receipt of a copy of this judgment.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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