

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

WP(C).No. 7824 of 2015 (C)

PETITIONER:

M/S.CONFIDENT PROJECTS (INDIA) PVT. LTD.
CONFIDENT HOUSE, TC 94/3674, KANNAMoola
MEDICAL COLLEGE P.O., THIRUVANANTHAPURAM
REPRESENTD BY ITS MANAGING DIRECTOR, T.A.JOSEPH,
AGED 51 YEARS,S/O. LATE ALEXANDER THERUVIPARAMBIL,
33/2652D, THERUVIPARAMBIL HOUSE, VENNALA P.O.,
KOCHI, ERNAKULAM.

BY ADVS.SRI.S.SHANAVAS KHAN
SMT.S.INDU

RESPONDENTS:

1. THE COMMISSIONER OF POLICE,
THIRUVANANTHAPURAM CITY, THIRUVANANTHAPURAM.

2. THE SUB INSPECTOR OF POLICE,
KAZHAKKOOTTAM POLICE STATION, KAZHAKKOOTTAM P.O.
THIRUVANANTHAPURAM.

3. THE KADINAMKULAM GRAMA PANCHAYAT
REPRESENTED BY ITS SECRETARY, KADINAMKULAM
CHITTATTUMUKKU P.O., THIRUVANANTHAPURAM-695 558.

4. LENIN LAL M.
S/O. MANIKANDAN, LENIN LAL HOUSE, KALPANA NAGAR
CHITTATTUMUKKU P.O., MENAMKULAM
THIRUVANANTHAPURAM-695 558.

5. CHANDRALAL
S/O. MANIKANDAN, LAL BHAVAN, KALPANA NAGAR,
MENAMKULAM, THIRUVANANTHAPURAM-695 558.

6. VIMAL
S/O. VIJAYAN, VIMAL HOUSE, NEAR SASTHAMKOVIL
MENAMKULAM, THIRUVANANTHAPURAM-695 558.

7. MOHANAN

S/O. MADHAVAN ASARI, THUMBAVILAKATHU HOUSE, MENAMKULAM
THIRUVANANTHAPURAM-695 558.

8. MONISH MOHAN

S/O. MOHANAN, MONISHA BHAVAN, MENAMKULAM
THIRUVANANTHAPURAM-695 558.

R3 BY ADV. SRI.M.R.SASITH

BY SR.GOVERNMENT PLEADER SRI.C.R. SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1 : COPY OF THE BUILDING PERMIT APPLICATION.

EXHIBIT P2 : COPY OF THE DECISION OF THE PANCHAYAT COMMITTEE
DTD.20.3.2014.

EXHIBIT P3 : COPY OF THE ORDER DTD.29.11.2014 IN APPEAL NO.1008/2014 OF
THE HON'BLE TRIBUNAL FOR LOCAL SELF GOVERNMENT INSTITUTIONS,
THIRUVANANTHAPURAM.

EXHIBIT P4 : COPY OF THE JUDGMENT DTD.9.2.2015 IN WPC NO.3160/2015 OF
THIS HON'BLE COURT.

EXHIBIT P5 : COPY OF THE BUILDING PERMIT DTD.3.3.2015 ISSUED BY THE 3RD
RESPONDENT.

EXHIBIT P6 : COPY OF THE COMPLAINT DTD.9.3.2015 PREFERRED BEFORE 2ND
RESPONDENT.

EXHIBIT P7 : COPY OF THE RECEIPT DTD.9.3.2015 ISSUED BY THE 2ND
RESPONDENT.

EXHIBIT P8 : COPY OF THE COMPLAINT DTD.6.3.2015 PREFERRED BY PETITIONER
BEFORE 2ND RESPONDENT.

RESPONDENTS' EXHIBITS:NIL

/TRUE COPY/

P.S TO JUDGE

ASHOK BHUSHAN, CJ. & K. RAMAKRISHNAN, J.

.....
W.P.(C)No.7824 of 2015
.....

Dated this the 16th day of December, 2015

JUDGMENT

Ashok Bhushan, CJ.

Heard learned counsel for the petitioner and learned Government Pleader. Although notices were issued to the private respondents, which have been served, no one appeared when the case was called.

2. Petitioner has come up in the writ petition seeking a direction for providing police protection for carrying out construction of the residential apartment namely 'Confident Zaniah' situated in Menamkulam village, Thiruvananthapuram.

This Court passed an order on 10.4.2015, whereby the submission of the Government Pleader was recorded that obstructions were removed and as on date, there is no obstruction. Police shall maintain law and order.

3. Learned counsel for the petitioner submits that construction is going on, on account of assurance given by the police. In the above view of the matter, no further order is required in this petition.

We close the writ petition with the observation that police shall maintain law and order.

Sd/-
ASHOK BHUSHAN,
CHIEF JUSTICE.

Sd/-
K. RAMAKRISHNAN,
JUDGE.

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