

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 27TH DAY OF MARCH 2015/6TH CHAITHRA, 1937

WP(C).No. 9125 of 2015 (M)

PETITIONER(S) :

**R.RADHA, AGED 54 YEARS,
W/O.SASI, REMYALAYAM, THATHAMUNNA MURI,
NOORANAD P.O., MAVELIKKARA, PIN-690 504.**

BY ADV. SRI.UNNIKRISHNAN.V.ALAPATT

RESPONDENT(S) :

- 1. THE DISTRICT COLLECTOR,
ALAPPUZHA DISTRICT-688 001.**
 - 2. THE REVENUE DIVISIONAL OFFICER,
CHENGHANNUR, ALAPPUZHA DISTRICT-689 121.**
 - 3. THE JOINT REGIONAL TRANSPORT OFFICER,
MAVELIKKARA, ALAPPUZHA DISTRICT-690 101.**
 - 4. THE SECRETARY,
NOORANAD GRAMA PANCHAYATH, NOORANAD P.O.-690 504.**
 - 5. THE EXECUTIVE ENGINEER,
ROADS & BUILDINGS, ALAPPUZHZA-688 001.**
 - 6. THE ASSISTANT ENGINEER,
PUBLIC WORKS DEPARTMENT ROAD SECTION, KATTANAM,
ALAPPUZHA-690 503.**
 - 7. SECRETARY, DYFI,
PUTHUPPALLYKUNNAM THEKKU UNIT, CHARUMMOODU,
ALAPPUZHA-690 505.**
- R1, R2, R3, R5 & R6 BY GOVERNMENT PLEADER SRI.JOSEPH GEORGE
R4 BY ADV. SMT.ANITHA M.N. (EKM)**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: A PHOTOGRAPH OF THE ALLEGED UNAUTHORIZED WAITING
SHED CONSTRUCTED BY THE 6TH RESPONDENT.**

**EXHIBIT P2: A TRUE COPY OF THE PETITION DATED 11-11-2014 SUBMITTED
BEFORE THE 6TH RESPONDENT.**

**EXHIBIT P3: A TRUE COPY OF THE PETITION DATED 24-11-2014 SUBMITTED
BEFORE THE 1ST RESPONDENT.**

**EXHIBIT P4: A TRUE COPY OF THE REPRESENTATION WITH
THE ENDORSEMENT DATED 11-02-2015 OF THE HON'BLE
MINISTER FOR PUBLIC WORKS DEPARTMENT.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.R. RAMACHANDRA MENON, J.

=====

W.P.(C). No. 9125 of 2015

Dated this the 27th day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

“I. To issue a writ of mandamus or appropriate writ or direction directing the respondents to remove the unauthorized waiting shed situated at Palammood Junction on the side of K.P. Road.

II. Issue such other reliefs.”

Despite the completion of service of notice the 7th respondent has not turned up.

2. The learned Government Pleader submits that the waiting shed has been put up quite unauthorisedly on the side of the road and hence instructions were given to cause it to be demolished, which however has not been complied with so far. The learned counsel for the Panchayat also submits that the Panchayat has not given any sanction to put up the waiting shed at the place where the shed is constructed as discernible from Ext.P1.

3. After hearing both the sides, this Court finds that the

unauthorized waiting shed has necessarily to be demolished. The second respondent is directed to demolish the waiting shed, if necessary with the assistance of Police.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the concerned respondent for further steps. The writ petition is disposed of.

**P.R. RAMACHANDRA MENON,
JUDGE.**

kp/-