

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 13TH DAY OF OCTOBER 2015/21ST ASWINA, 1937

WP(C).No. 9578 of 2015 (V)

PETITIONER:

**FR.XAVIER LAZER, AGED 48 YEARS
S/O.LAZER, PARISH PRIEST
ST.ANTONY'S LATIN CATHOLIC CHURCH, KANJIRACODE
KUNDARA P.O., KOLLAM - 691 501.**

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT
LOCAL SELF GOVERNMENT DEPARTMENT
THIRUVANTHAPURAM - 695 001.**
- 2. THE SUPERINTENDENT OF POLICE (RURAL)
KOLLAM - 691 001.**
- 3. THE CIRCLE INSPECTOR OF POLICE
KUNDARA - 691 001.**
- 4. THE REGIONAL TRANSPORT OFFICER
KOLLAM - 691 001.**
- 5. KUNDARA GRAMA PANCHAYATH
REPRESENTED BY ITS SECRETARY, KUNDARA
KOLLAM - 691 501.**
- 6. ELAMPALLUR GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY
ELAMPALLUR - 691 001.**
- 7. VILLAGE OFFICER
ELAMPALLUR - 691 001.**
- 8. EXECUTIVE ENGINEER,
NATIONAL HIGH WAY 208,
KOLLAM - 691001.**

WP(C).No. 9578 of 2015 (V)

- 9. AUTO RICKSHAW DRIVERS UNION (CITU)**
MUKKADA UNIT, KUNDARA - 691 501.
REPRESENTED BY ITS SECRETARY FRANCIS
- 10. AUTO RICKSHAW DRIVERS UNION (AITUC)**
MUKKADA UNIT, KUNDARA
REPRESENTED BY ITS SECRETARY JEROME - 691 501.
- 11. AUTO RICKSHAW DRIVERS UNION (BMS)**
MUKKADA UNIT, KUNDARA, PIN - 691 501.
REPRESENTED BY ITS SECRETARY ANIL KUMAR.S

R1 TO R4 & R8 BY SR. GOVERNMENT PLEADER SMT. ANITHA RAVINDRAN
R5 BY ADV. SRI.MANOJ RAMASWAMY
R6 BY ADVS. SRI.B.VINOD
SRI.I.V.PRAMOD
R9, R10 BY ADVS. SRI.V.JAYAPRADEEP
SRI.V.JAYADHAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
13-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE COPY OF THE PHOTOGRAPH SHOWING PARKING OF AUTO RICKSHAWS IN FRONT OF THE ST.ANTONY'S SHOPPING ARCADE
- P2- TRUE COPY OF THE PHOTOGRAPH SHOWING ST.ANTONY'S SHRINE
- P3- TRUE COPY OF THE JUDGMENT DATED 9.7.2014 PASSED BY THIS HONOURABLE COURT IN WP(C) NO.17490 OF 2014
- P4- TRUE COPY OF THE PETITION SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DATED 6.2.2015
- P5- TRUE COPY OF THE PETITION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 6.2.2015
- P6- TRUE COPY OF THE APPLICATION DATED 27.8.2014 FILED BY THE PETITIONER UNDER THE RIGHT TO INFORMATION ACT BEFORE THE PUBLIC INFORMATION OFFICER, REGIONAL TRANSPORT OFFICER, KOLLAM (ALONG WITH ENGLISH TRANSLATION)
- P7- TRUE COPY OF THE LETTER NO.G10/6614/2014/Q DATED 20.9.2014 OF THE PUBLIC INFORMATION OFFICER, REGIONAL TRANSPORT OFFICER, KOLLAM (ALONG WITH ENGLISH TRANSLATION)
- P8- TRUE COPY OF THE APPLICATION DATED 27.8.2014 FILED BY THE PETITIONER UNDER THE RIGHT TO INFORMATION ACT BEFORE THE STATE PUBLIC INFORMATION OFFICER, KUNDARA GRAMA PANCHAYAT (ALONG WITH ENGLISH TRANSLATION)
- P9- TRUE COPY OF THE LETTER NO.JS.4959/2014-15 DATED 4.10.2014 OF THE STATE PUBLIC INFORMATION OFFICER, KUNDARA GRAMA PANCHAYAT (ALONG WITH ENGLISH TRANSLATION)
- P10- TRUE COPY OF THE APPLICATION DATED 25.9.2014 FILED BY THE PETITIONER UNDER THE RIGHT TO INFORMATION ACT BEFORE THE STATE PUBLIC INFORMATION OFFICER, ELLAMBALLUR VILLAGE (ALONG WITH ENGLISH TRANSLATION)
- P11- TRUE COPY OF THE LETTER NO.33/2014(1) DATED 13.10.14 OF THE STATE PUBLIC INFORMATION OFFICER, ELLAMBALLUR VILLAGE (ALONG WITH ENGLISH TRANSLATION)
- P12- TRUE COPY OF THE PETITION SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT DATED 6.2.15

RESPONDENT(S)' EXHIBITS

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 9578 OF 2015

Dated this the 13th day of October, 2015

JUDGMENT

The dispute pertains to the location of an autorickshaw stand on the side of NH 208 at Kundara - Mukkada Junction. The petitioner has in this regard submitted Ext. P12 representation with the fourth respondent. The fourth respondent shall place the same before the Regional Transport Authority, Kollam within a period of three weeks.

2. The Regional Transport Authority shall take a decision thereon with due notice to the parties. Notice shall be issued not only to the petitioner but also to respondents 2, 3 and 5 to 11 in this writ petition. The final decision thereon shall be taken within a period of two months.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS