

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937

WP(C).No. 9905 of 2015 (K)

PETITIONER:

**T.N. JAYASREE, W/O. SABU, AGED 47 YEARS,
MANALIPARAMBIL HOUSE, BRAHMAMANGALAM P.O.,
ENADI, VAIKOM-VIA, KOTTAYAM DISTRICT.**

**BY ADVS.SRI.BABU JOSEPH KURUVATHAZHA
SRI.P.T.ABHILASH**

RESPONDENTS:

- 1. GOVERNMENT OF KERALA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF HARBOUR ENGINEERING,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. SUPERINTENDING ENGINEER,
HARBOUR ENGINEERING CENTRAL CIRCLE, PARAMARA ROAD,
ERNAKULAM NORTH, KOCHI-682 018.**
- 3. NEELAMPEROOR GRAMA PANCHAYAT,
EERA P.O., ALAPPUZHA DISTRICT, PIN-686 534,
REPRESENTED BY ITS SECRETARY.**
- 4. DEVASSYA ANTONY,
CONTRACTOR, PUTHENPURACKAL HOUSE, KAVALAM,
KUTTANAD, ALAPPUZHA DISTRICT, PIN-688 506.**
- 5. DISTRICT COLLECTOR,
COLLECTORATE, CIVIL STATION, ALAPPUZHA-688 001.**

R1,R2 & R5 BY GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 31-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 9905 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1- TRUE COPY OF DOCUMENT NO. 3370/2012 OF SUB REGISTRY,
PULINKUNNU.
- EXHIBIT P2- TRUE COPY OF THE E-TENDER NOTIFICATION NO. D3-6250/14/HECC
DATED 23-12-2014 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P3- TRUE COPY OF THE PROCEEDINGS NO. A1-1057/12 DATED 16-11-2012
OF THE SECRETARY OF THE 3RD RESPONDENT PANCHAYAT.
- EXHIBIT P4- TRUE COPY OF THE LETTER DATED 19-1-2015 SUBMITTED BY THE
PETITIONER ALONG WITH ANOTHER BEFORE THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 9905 of 2015

Dated this the 31st day of March, 2015

J U D G M E N T

The petitioner has approached this Court with the following prayers:

- “i. issue a writ of prohibition or any other appropriate writ, order or direction restraining the respondents from constructing the road proposed in Ext.P2 notification through the property of the petitioner comprised in Ext.P1 document, until the said property is acquired by the 5th respondent for the construction of the road proposed in Ext.P2;*
- ii. issue a writ of mandamus or any other appropriate writ, order or direction commanding the 2nd respondent to consider and dispose of Ext.P4 representation, forthwith;*
- iii. issue such other writ, order or direction, as this Hon'ble Court may deem fit, fair and proper in the facts and circumstances of the case.”*

2. Heard the learned Government Pleader as well.

3. Considering the limited extent of relief sought for, this Court does not find it necessary to issue notice to the respondents 3 and 4 for the time being. The writ petition is disposed of, directing the 2nd respondent to consider and pass appropriate orders on Ext.P4, after affording an opportunity of hearing to the

petitioner and other interested parties, if any, including the respondents 3 and 4 at the earliest, at any rate, within one month from the date of receipt of a copy of the judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 2nd respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.

Pn