

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

WP(C) .No. 10732 of 2015 (N)

PETITIONER(S) :

JOSHIMON A.M, AGED 40 YEARS,
S/O.MURALIDHARAN ENNOORICHIRA,
KAVALAM.P.O.,KUNNUMMA WEST,
ALAPPUZHA DISTRICT.

BY ADVS.SRI.M.SASINDRAN
SRI.V.VENUGOPAL

RESPONDENT(S) :

1. STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT
PUBLIC WORKS DEPARTMENT
SECRETARIAT, THIRUVANANTHAPURAM-695001.
2. THE SECRETARY TO GOVERNMENT
WATER RESOURCES DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM-695001.
3. THE EXECUTIVE ENGINEER,
IRRIGATION DIVISION ALAPPUZHA
OPPOSITE BOAT JETTY, MINI HILL STATION,
ALAPPUZHA DISTRICT, PIN-688001.

R BY GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

- EXT.P1: A TRUE COPY OF THE CONTRACTOR REGISTRATION CARD OF THE IRRIGATION DEPARMENT ISSUED TO THE PETITIONER.
- EXT.P2: A TRUE COPY OF THE GOVERNMENT ORDER AS G.O.(MS) NO.59/2013 PWD DATED 17/07/2013.
- EXT.P3: TRUE COPIES OF THE G.O(MS)NO.34/2014 P.W.D DATED 30/04/2014.
- EXT.P4: A TRUE COPY of THE G.O.(MS)NO.62/2014 DATED 31/07/2014.
- EXT.P5: A TRUE COPY OF THE G.O(MS)NO.266/2014/WRD DATED 28/02/2014.
- EXT.P6: A TRUE COPY OF THE G.O.(MS) .NO.24/2011/PWD DATED 06/01/2015.
- EXT.P7: A TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT DATED 24/01/2015.
- EXT.P8: A TRUE COPY OF THE NATIONAL SAVING CERTIFICATE NO.195873 REMITTED BY THE PETITIONER WHICH IS PLEDGED AS A SECURITY.
- EXT.P8 (A) : A TRUE COPY OF THE NATIONAL SAVINGS CERTIFICATE NO.195872 REMITTED BY THE PETITIONER WHICH IS PLEDGED AS A SECURITY.
- EXT.P8 (B) : A TRUE COPY OF THE NATIONAL SAVINGS CERTIFICATE NO.195874 REMITTED BY THE PETITIONER WHICH IS PLEDGED AS A SECURITY.
- EXT.P8 (C) : A TRUE COPY OF THE NATIONAL SAVINGS CERTIFICATE NO.132613 REMITTED BY THE PETITIONER WHICH IS PLEDGED AS A SECURITY.
- EXT.P8 (D) : A TRUE COPY OF THE NATIONAL SAVING CERTIFICATE NO.132612 REMITTED BY THE PETITIONER WHICH IS PLEDGED AS A SECURITY.
- EXT.P9: A TRUE COPY OF THE ORDER DATED 09/03/2015 ISSUED BY THE 3RD RESPONDENT.

RESPONDENT(S) ' EXHIBITS

NIL

TRUE COPY BY

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PA TO JUDGE

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 10732 of 2015

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Dated, this the 10th day of April, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers :

- (i) To quash Ext. P9 by issuing a certiorari or any other writ order or direction.
- (ii) Issue a writ of mandamus or any other writ order or direction commanding the 3rd respondent to consider Ext. P7 application afresh in the light of Exts. P2 to P6 government orders.
- (iii) Issue a writ of mandamus or any other writ order or direction commanding the 3rd respondent to renew the petitioner's Ext. P1 registration of contractors' card and license.
- (iv) Declare that the stipulation in Ext. P2 that the registration issued to the contractor is valid for 3 financial year and the registration card to be renewed once in every 3 years is applicable in the case of the petitioner.
- (v) To award cost to the petitioner.
- (vi) To issue any other writ order order or direction as this Hon'ble Court may deem fit in the facts and circumstances of the case.

2. The learned counsel for the petitioner submits that the petitioner will be satisfied, if a direction is given to the 3rd respondent to consider and pass appropriate orders on Ext. P7 application in the light of Exts. P2 to P6 Government Orders.

3. Heard the learned Government Pleader as well, who submits that relief sought for by the petitioner can be considered so as to have finality at the earliest.

4. In the said circumstances, the writ petition is disposed of, directing the 3rd respondent to consider and pass appropriate orders on Ext. P7 application in the light of Exts. P2 to P6 Government Orders, at the earliest, at any rate, within six weeks from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment along with a copy of writ petition before the concerned respondent for further steps.

Sd/-

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

kmd