

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

WP(C) .No. 22619 of 2006 (P)

PETITIONER(S) :

1. VIDYANAGAR RESIDENT'S ASSOCIATION,
(REG. NO. ER 22/04), VIDYANAGAR, KADAVANTHRA,
KOCHI-20, REP. BY ITS SECRETARY, A.K.BALACHANDRAN,
S/O.A.K.KUNJUNNI, SREYAS, 50/1492,
VIDYANAGAR, KADAVANTHRA, KOCHI-20.
2. T.R.VIJAYAN,
PRESIDENT,
VIDYANAGAR RESIDENT'S ASSOCIATION, 50/1701
THAREPARAMBIL, VIDYANAGAR.

BY ADVS.SMT.AYSHA YOUSEFF
SMT.MOLLY JACOB
SMT.RABIA BEEGAM T.K.
SRI.JOBI.A.THAMPI
SRI.RAFFEEKH.K
SMT.VIDYA KUMARI.B.VAID

RESPONDENT(S) :

1. CORPORATION OF COCHIN,
REP. BY ITS SECRETARY, KOCHI.
2. M/S.DESAI HOMES,
D.D.BAZAR, GOAPALAPRABHU ROAD, KOCHI-35.
3. STATE OF KERALA,
REP. BY ITS SECRETARY, LOCAL SELF GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

*ADDL. R4 IMPEADED

R4. M/S.DESAI DREAMS RETREAT PRIVATE LTD.,
VASTRAMAHAL, MARKET ROAD, COCHIN-11.

(*ADDL. R4 IS IMPEADED AS PER ORDER DATED 29/08/06 IN IA.NO.12149/06)

R2 BY ADV. SRI.ANTONY DOMINIC
R2 BY ADV. SRI.A.M.SHAFFIQUE (SR.)
R2 BY ADV. SRI.E.K.NANDAKUMAR
R2 BY ADV. SRI.A.K.JAYASANKAR NAMBIAR
ADDL.R4 BY ADV. SRI.ANTONY DOMINIC
BY GOVERNMENT PLEADER SRI.SOJAN JAMES
BY SRI.S.RAMESH BABU, SC.COCHIN CORPN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
07-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J U D G M E N T

THE MATTER IS IN THE DISPOSAL LIST. NO REPRESENTATION FOR THE
PETITIONERS. AS THERE IS NO REPRESENTATION FOR THE PETITIONERS,
THE WPC IS CLOSED WITHOUT GOING INTO THE MERITS.

SD/-
K.VINOD CHANDRAN, JUDGE

07/09/2015

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT.P1: TRUE COPY OF THE REGISTRATION CERTIFICATE OF THE PETITIONER ASSOCIATION.
- EXT.P1 (A) : TRUE COPY OF THE ENGLISH TRANSLATION OF EXT.P1.
- EXT.P2: TRUE COPY OF THE RELEVANT PORTION OF MEMORANDUM OF ASSOCIATION OF THE PETITIONER ASSOCIATION.
- EXT.P2 (A) : TRUE COPY OF THE ENGLISH TRANSLATION OF EXT.P2.
- EXT.P3: TRUE COPY OF THE LAYOUT OF VIDYANAGAR.
- EXT.P4: TRUE COPY OF THE REPRESENTATION DATED 14/11/2005 SUBMITTED BY THE PETITIONER TO THE HON'BLE CHIEF MINISTER.
- EXT.P4 (A) : TRUE COPY OF THE ENGLISH TRANSLATION OF EXT.P4.
- EXT.P5: TRUE COPY OF THE PHOTOGRAPHS SHOWING THE CONSTRUCTION IN ISSUE.
- EXT.P6: TRUE COPY OF THE PHOTOGRAPH OF THE GATE OF PMJ FLATS WITH THE BOARD.
- EXT.P7: TRUE COPY OF THE PHOTOGRAPH SHOWING THE DUMPING OF CLAY WITH VEHICLE.
- EXT.P8: TRUE COPY OF THE REPRESENTATION DATED 18/08/2006 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.
- EXT.P8 (A) : TRUE COPY OF THE ACKNOWLEDGEMENT OF EXT.P6.

RESPONDENT(S) ' EXHIBITS :

- EXT.R4 (A) : TRUE COPY OF THE BUILDING PERMIT DATED 18/03/2005 UNDER RULE 11 (3) OF THE KERALA MUNICIPALITY BUILDING RULES, 1999 WAS GRANTED TO THE LAND LORDS, NO.KRPI-666/04.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.22619 of 2006

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Dated this the 7th day of September, 2015

JUDGMENT

The matter is in the disposal list. No representation for the petitioners. As there is no representation for the petitioners, the WP(C) is closed without going into the merits.

Sd/-

**A.V.RAMAKRISHNA PILLAI
JUDGE**

krj

//true copy//

P.A to Judge