

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 1ST DAY OF JUNE 2015/11TH JYAISHTA, 1937

WP(C).No. 12704 of 2014 (K)

PETITIONERS:

- 1. N. JAYASANKER, S/O.PADMANABHAN NAIR,
AGED 42 YEARS,RESIDING AT JAYA VIHAR,
SANGEETHA ROAD, PERINTHALMANNA P.O.,
MALAPPURAM DISTRICT.**
- 2. C.H. MOHAMMED RAFEEQ,
S/O.LATE C.H. KUNJUMOHAMMED, AGED 51 YEARS,
RESIDING AT CHELAKODAN HOUSE, NEAR ALAYAKAT TEMPLE,
PERINTHALMANNA P.O., MALAPPURAM DISTRICT.**

**BY ADVS.SRI.T.C.SURESH MENON,
SRI.P.S.APPU,
SRI.SANIL JOSE.**

RESPONDENTS:

- 1. THE PERINTHALMANNA MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
PERINTHALMANNA P.O., MALAPPURAM-679 322.**
- 2. THE DISTRICT COLLECTOR,
MALAPPURAM DISTRICT - 676 303.**

**R1 BY ADV. SRI.P.C.SASIDHARAN, SC.
R2 BY GOVT. PLEADER SRI.SHYSON P.MANGUZHA.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 01-06-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

APPENDIX

PETITIONERS' EXHIBITS:

EXHIBIT P1 : TRUE COPY OF FEW PHOTOGRAPHS DEPICTING THE LIE OF THE ABANDONED BUS STAND DATED NIL.

EXHIBIT P2 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT DATED 05.04.2014.

EXHIBIT P3: TRUE COPY OF FEW PHOTOGRAPHS WHICH SHOWS THE FACT THAT THE BUS STAND IS USED FOR PURPOSE OTHER THAN FOR WHICH IT WAS CONSTRUCTED DATED NIL.

EXHIBIT P4: TRUE COPY OF FEW PHOTOGRAPHS WHICH SHOWS THE CONSTRUCTION ACTIVITIES AT THE BUS STAND DATED NIL.

EXHIBIT P5: TRUE COPY OF THE RECEIPT EVIDENCING THE PAYMENT TO USE THE BUS STAND PREMISES FOR CONDUCT OF THE USED CARS MELA DATED 24/02/2015.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 12704 of 2014

Dated this the 1st day of June, 2015

J U D G M E N T

The learned Standing Counsel for the respondent municipality, on instructions, submitted that the municipality has no intention to convert the bus stand into an old age home. However, it was submitted that a portion of the building has been allotted to disabled persons under the 'Santhwana Scheme' as the municipality is not having other space. It is also submitted by the learned Standing Counsel that the premises shall be used for accommodating the bus station and the municipality shall make the bus stand functional.

Recording the said submission, the writ petition is closed. If the municipality finds it difficult to make the bus station functional on account of the non cooperation of the bus owners, it shall be open to the municipality to resort to legal methods for the implementation of its decision.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-