

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 13TH DAY OF JULY 2015/22ND ASHADHA, 1937

WP(C).No. 12915 of 2015 (L)

PETITIONER(S) :

- 1. C.D.ANTES,
CHITTILAPILLY KUNNATH HOUSE, ARANATTUKARA POST,
THRISSUR-680 618.**
- 2. M.A.VARGHESE,
MANJILI HOUSE, NEETHU LAKSHMI, K.P.N.PISHARADY ROAD,
KANATTUKARA.P.O, THRISSUR-680 011.**
- 3. M.A.SHAJI,
MANJILI HOUSE, UNITY ROAD, KURIACHIRA,
THRISSUR-680 006.**
- 4. ALLEY JOSEPH,
KOLLANNUR HOUSE, ARANATTUKARA POST, THRISSUR-680 618.**

**BY SRI.S.RAMESH BABU (SENIOR ADVOCATE)
ADV. SRI.N.KRISHNA PRASAD**

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, REVENUE DEPARTMENT,
GOVERNMENT SECRETARIAT, THAMPANOOR POST, TRIVANDRUM-2.**
- 2. VILLAGE OFFICER,
AYYANTHOLE, THRISSUR DISTRICT-680 003.**
- 3. THRISSUR CORPORATION,
REPRESENTED BY ITS SECRETARY, CORPORATION BUILDINGS,
THRISSUR-680 001.**
- 4. THE DISTRICT COLLECTOR,
THRISSUR-680 003.**

**R1, R2 & R4 BY GOVERNMENT PLEADER SMT ANITHA RAVEENDRAN
R3 BY ADVS. SRI.K.P.VIJAYAN
SRI.V.N.HARIDAS**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 13-07-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS :

- EXT.P1: TRUE COPY OF THE DEED DATED 18.02.2003.**
- EXT.P2: TRUE COPY OF THE DOCUMENT NO.6188/94 DATED 18.10.1994.**
- EXT.P3: TRUE COPY OF THE DOCUMENT NO.376/1/2010 DATED 29.01.2010**
- EXT.P4: TRUE COPY OF THE SALE DEED DATED 25.01.2000.**
- EXT.P5: TRUE COPY OF THE SKETCH.**
- EXT.P6: TRUE COPY OF THE JUDGMENT DATED 10.04.2003 IN
O.P.NO.12423 OF 2003.**
- EXT.P7: TRUE COPY OF THE JUDGMENT DATED 18.10.2012 IN
WRIT PETITION (CIVIL)NO.8516/2012.**
- EXT.P8: TRUE COPY OF THE COMPLAINT NO.596/2014.**
- EXT.P9: TRUE COPY OF THE INTERIM APPLICATION.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 12915 of 2015

Dated this the 13th day of July, 2015.

JUDGMENT

Apprehending illegal dispossession of the petitioners from the building covered by Exts.P1 to P4, petitioners have come up before this Court.

2. Petitioners are in ownership and possession of properties of small extent of land and building in terms of Ext.P1 to P4 document in which they are running small businesses. The petitioners allege that on three earlier occasions, petitioners approached this Court when the respondents attempted to illegally dispossess the petitioners on the erroneous assumption that the properties of the petitioners are belonging to the corporation. Now the third respondent has once again raked up an issue and the officials of the corporation have orally informed the petitioners that their properties would be acquired without any further notice based on a 'decision' claimed to have been taken at the

chambers of the Mayor. Petitioners genuinely fear that they would illegally dispossessed on this score.

3. Today when the matter came up for hearing, the learned counsel for the third respondent would submit that at present the respondent corporation is not intending to dispossess the petitioner and it is also submitted that if at all the petitioners dispossessed, the same shall be in accordance with a due acquisition proceedings.

Recording the said submission, the writ petition is closed.

A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.