IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

WP(C).No. 14195 of 2015 (Y)

PETITIONER:

K.P.JYOTHISH, AGED 48 YEARS
S/O.K.V.BHASKARAN, PROPRIETOR, GEETHA BAKERY
KRISHNA KRIPA, SOUTH BAZAR, KANNUR
RESIDING AT MOTTAMMAL HOUSE, KANNUR.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS:

1. **KANNUR MUNICIPALITY**
   REPRESENTED BY ITS SECRETARY,
   KANNUR-670002.

2. **KANNUR MUNICIPALITY COUNCIL**
   REPRESENTED BY ITS CHAIRMAN,
   KANNUR-670002.

3. **DISTRICT COLLECTOR**
   COLLECTORATE,
   KANNUR-670001.

4. **SENIOR TOWN PLANNER**
   KANNUR MUNICIPALITY,
   KANNUR-670002.

5. **BABU RAJAN**
   LICENSEE,
   MUNICIPALITY BUNK NO.25 AND MILMA BOOTH
   SOUTH BAZAR,
   NEAR KSRTC BUS STAND,
   KANNUR-670003.

6. **THAHIRA**
   LICENSEE, MUNICIPALITY BUNK NO.25, SOUTH BAZAR
   NEAR KSRTC BUS STAND,
   KANNUR-670003.

R1, R2 & R4 BY ADV. SRI.K.K.CHANDRAN PILLAI (SR.)
SRI.ARUN ANTONY
SRI.SHENU K.V.
SMT.S.AMBILY
R3 BY GOVERNMENT PLEADER SRI. P.P. PADMALAYAM
R5 & R6 BY ADVS. SRI.K.C.SANTHOSHKUMAR
SMT.K.K.CHANDRALEKHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

DCS

WP(C).No. 14195 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

P1 : COPY OF THE MEMORANDUM SUBMITTED TO THE SECRETARY, KANNUR MUNICIPALITY DATED 06.01.2015

P2 : COPY OF THE COUNTER AFFIDAVIT FILED IN THE ABOVE WRIT PETITION IN W.P.(C). NO. 1431/2015

P3: COPY OF THE REPRESENTATION SUBMITTED TO THE 1ST RESPONDENT

P4: COPY OF THE CERTIFICATE ISSUED BY THE MUNICIPALITY OFFICE AS 8/25089/2010 DATED 15.12.2010

RESPONDENT(S)' ANNEXURES:-

ANNEXURE I - COPY OF COUNTER AFFIDAVIT IN W.P.(C). NO. 1431 OF 2015 BEFORE THE HON'BLE HIGH COURT

ANNEXURE II - A ROUGH SKETCH SHOWING THE LOCATION OF THE BUNK, THE PROPOSED SHIFTING

/TRUE COPY/

P.A. TO JUDGE

DCS

V.CHITAMBARESH,J.

W.P.(C) No. 14195 of 2015

Dated this the 01st day of October, 2015

JUDGMENT

The petitioner objects to the shifting of a Milma Booth. The allotee of the Milma Booth has no much objection. The petitioner contends that the shifting would adversely affect the parking place. The petitioner is one of the occupants of a shop in the Municipal Complex.

2. The petitioner has in this regard submitted Ext. P3 representation. The same shall be considered by the first respondent with notice to the petitioner and respondents five and six. The needful shall be done within a period of three weeks from the date of receipt of a copy of this judgment.

The writ petition is disposed of.

V.CHITAMBARESH
JUDGE

DCS