

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 6TH DAY OF NOVEMBER 2015/15TH KARTHIKA, 1937

WP(C).No. 15884 of 2015 (I)

PETITIONER:

**SALIM M.A., AGED 51 YEARS
S/O.ABDUL KARIM, MUNDETTU HOUSE, AYARKUNNAM P.O.
AYARKUNNAM KARA, AYARKUNNAM VILLAGE
KOTTAYAMTALUK. PIN - 686 564.**

BY ADV. SRI.GEORGE SEBASTIAN

RESPONDENTS:

1. STATE OF KERALA

**REPRESENTED BY ITS PRINCIPAL SECRETARY
LOCAL SELF GOVERNMENT DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM
PIN - 695 001.**

2. KOTTAYAM MUNICIPALITY

**REPRESENTED BY ITS SECRETARY
KOTTAYAM. PIN - 686 001.**

3. SECRETARY

KOTTAYAM MUNICIPALITY, KOTTAYAM, PIN - 686 001.

4. V.C.CHANDY

**VADAMATTATHIL HOUSE
VADAVATHOOR P.O.KOTTAYAM. PIN - 686 010.**

5. VICE CHAIRPERSON

**KOTTAYAM MUNICIPALITY,
KOTTAYAM.PIN - 686 001.**

R1 BY SR. GOVERNMENT PLEADER SMT. ANITHA RAVINDRAN

**R2, R3& R5 BY ADVS. SRLS.RANJIT (KOTTAYAM), SC, KOTTAYAM MUNICIPALITY
SRI.PHILIP J.VETTICKATTU**

R4 BY ADV. SRLABRAHAM GEORGE JACOB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
06-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P-1: TRUE COPY OF THE NOTICE DATED 28.2.2015 BEARING NUMBER R6-33705/14 ISSUED BY THE 2ND RESPONDENT**
- EXT.P-2: TRUE COPY OF THE NOTICE DATED 23.3.2015 BEARING NUMBER R6-33705/14 ISSUED BY THE 2ND RESPONDENT**
- EXT.P-3: TRUE COPY OF THE OFFER SUBMITTED BY THE PETITIONER**
- EXT.P-4: TRUE COPY OF THE OFFER SUBMITTED BY MR.K.A.NAZAR**
- EXT.P-5: TRUE COPY OF THE OFFER SUBMITTED BY THE 4TH RESPONDENT**
- EXT.P-6: TRUE COPY OF THE REPRESENTATION DATED 28.3.2015 SUBMITTED BY THE PETITIONER**
- EXT.P-7: TRUE COPY OF THE APPLICATION AND REPLY THERETO.**

RESPONDENT(S)' EXHIBITS:-

- EXT. R4(a): COPY OF THE EXTRACT OF DECISION NO. 2 OF THE MUNICIPAL COUNCIL HELD ON 31.03.2015 REGARDING MUTTON STALLS**

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 15884 OF 2015

Dated this the 06th day of November, 2015

JUDGMENT

The petitioner confines his relief to an early consideration of Ext. P6 representation. The same pertains to the award of a contract to the fourth respondent. The fact remains that the contract has been awarded and the fourth respondent has been functioning for months. The fourth respondent points out that the remedy if any of the petitioner is only to sue for damages.

2. I direct the second respondent to consider Ext. P6 representation with notice to the petitioner and the fourth respondent. The needful shall be done within a period of two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS