

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 14TH DAY OF JULY 2015/23RD ASHADHA, 1937

WP(C).No. 16167 of 2015 (U)

PETITIONER:

**RAGHAVAN, AGED 64 YEARS,
S/O. BHASKARAN NAIR, KUNNAMBATH HOUSE, ALPPARA P.O.
KANNARA, THRISSUR.**

**BY ADVS.SRI.SANTHOSH P.PODUVAL
SMT.R.RAJITHA**

RESPONDENTS:

- 1. PANANCHERY PANCHAYATH,
REPRESENTED BY ITS SECRETARY, PANANCHERY,
THRISSUR-680001.**
- 2. BENNY,
KODIYATTIL HOUSE, PATTIKKADU P.O.,
THRISSUR-680001.**
- 3. THOMAS,
MAMKUNNEL HOUSE, PATTIKKADU P.O.,
THRISSUR-680001.**

R2-R3 BY ADV. SRI.G.SREEKUMAR (CHELUR)

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

WP(C).No. 16167 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1- TRUE COPY OF THE REPRESENTATION DATED 22-4-2015 GIVEN BY
PETITIONER BEFORE THE 1ST RESPONDENT PANCHAYATH.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V.RAMAKRISHNA PILLAI, J

WPC No.16167 of 2015

Dated this the 14th day of July, 2015

JUDGMENT

Aggrieved by the unauthorised parking of the vehicles in front of his shop on the opposite side of the Panchayat road causing obstruction to the vehicles of the customers and other goods carriage vehicles coming to his shop for loading and unloading, the petitioner has come up before this Court.

2. The petitioner is running an electrical and hardware shop at Pattikkad Centre. Several vehicles would have to be brought to his shop for loading and unloading the materials incidental to his business. The road in front of his shop is a narrow road. Recently, certain persons under the leadership of 2nd and 3rd respondents have started unauthorised parking of their autorickshaws by the road side in front of the shop of the petitioner on the other side of the road causing inconvenience to the customers and others who bring vehicles to the shop to load the materials. So also, the

vehicular traffic through the road is also affected by such parking.

3. The first respondent Panchayat has not allotted the space on either side of the road in front of the shop of the petitioner as a parking place for any type of vehicles.

4. The 2nd respondent is the President and 3rd respondent is the Secretary of "Petty Auto Brothers Swasraya Samithi" the members of which are doing such illegal acts. It is learnt that the said samithi had merged with CITU. The petitioner submitted a representation before the 1st respondent Panchayat on 22.4.2015. But due to political influence, the said representation is not being considered. It is with this background, the petitioner has come up before this Court.

5. Arguments have been heard.

As the learned counsel for the petitioner confined his argument to the limited prayer for a direction to the respondents to consider and pass appropriate orders on Ext.P1 application, this writ petition is disposed of directing the first respondent to consider and pass orders

on Ext.P1 application, after affording the petitioner and respondents 2 and 3 an opportunity of being heard within a period of two weeks from the date of receipt of a copy of this judgment.

To facilitate an early action it shall be open to the petitioner to produce a copy of this judgment as well as a copy of the writ petition before the first respondent.

sd/- A.V.RAMAKRISHNA PILLAI
JUDGE

CSS/

true copy

P.S.TO JUDGE