

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

WP(C).No. 19305 of 2015 (K)

PETITIONER(S):

**EBRAHIMKUTTY, AGED 61 YEARS,
S/O. ALIYARU KUNJU, 347(17/503), SUDHI COTTAGE,
PUTHUCHIRA, THAZHUTHALA VILLAGE, UMayANALLUR I.E
KOLLAM, KERALA - 691 589.**

**BY ADVS.SRI.ABDUL JALEEL.A
SMT.M.A.SULFIA**

RESPONDENT(S):

**1. EXECUTIVE ENGINEER,
PWD SECTION, PUBLIC WORK DEPARTMENT, KOLLAM- 691 001.**

**2. THE SUB INSPECTOR OF POLICE,
KOTTIYAM POLICE STATION, KOTTIYAM, KOLLAM - 691 588.**

*** ADDL.R3 & R4 IMPEADED**

**3. RATHEESH, S/O.THAJENDRAN,
RATHEESH BHAVAN, PUTHUCHIRA, THAZHUTHALA VILLAGE,
UMAYANELLOOR P.O., KOLLAM-691589.**

**4. SABU, S/O.BABU, THODIYIL VEEDU, PUTHUCHIRA,
THAZHUTHALA VILLAGE, UMayANELLOOR P.O., KOLLAM-691589.**

**ADDL.R3 & R4 ARE IMPEADED AS PER ORDER DATED 16/9/2015 IN
IA.10689/2015**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 19305 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1- TRUE COPY OF THE PROPERTY TAX RECEIPT OF THE LAND OWNED
BY THE PETITIONER.**

**EXHIBIT-P2- TRUE COPY OF THE REPRESENTATION DATED 22/05/2015 FILED
BEFORE THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 19305 of 2015

Dated this the 16th day of September, 2015

J U D G M E N T

Petitioner submits that additional respondents 3 and 4 have encroached upon the PWD road and the official respondents (respondents 1 and 2) removed the encroachment.

2. This Court is of the view that if the petitioner has any complaint, Ext.P2 shall be considered by the first respondent. If it is found that the party respondents have encroached upon the PWD road, necessary action shall be taken to remove the encroachment on the land in accordance with Land Conservancy Act and Rules. Needful shall be done within two months from the date of receipt of a copy of this judgment.

This writ petition is disposed of as above.

A.MUHAMED MUSTAQUE,
Judge

MBS/

