

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

WP(C).No. 20474 of 2015 (S)

PETITIONER :

DEJO KAPPEN AGED 55 YEARS
S/O.LATE K.C.JOSEPH, KAPPIL HOUSE, MEENACHIL P.O.
KOTTAYAM DISTRICT.

BY ADVS.SRI.JOHNSON MANAYANI
SRI.BENHUR JOSEPH MANAYANI
SRI.JEEVAN MATHEW MANAYANI

RESPONDENTS :

1. STATE OF KERALA
REPRESENTED THE CHIEF SECRETARY TO
THE GOVERNMENT SECRETARIAT ,
THIRUVANANTHAPURAM - 695 001.
2. DIRECTOR GENERAL OF POLICE (STATE POLICE CHIEF)
POLICE HEADQUARTERS, THIRUVANANTHAPURAM -695 001.
3. TRANSPORT COMMISSIONER AND ROAD SAFETY COMMISSIONER
KERALA TRANS TOWERS, VAZHUTHACAUD
THIRUVANANTHAPURAM - 695 001.
4. PRINCIPAL SECRETARY
LOCAL SELF GOVERNMENT DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM -695 001.
5. PRINCIPAL SECRETARY
PUBLIC WORKS DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM - 695 001.
6. THE KERALA STATE DIASTER MANAGEMENT
AUTHORITY, REPRESENTED BY ITS MEMBERSECRETARY
TRIVANDRUM - 695 001.

7. THE MANAGING DIRECTOR
STEEL INDUSTRIES, KERALA (SILK)ATHANI POST
THRISSUR DISTRICT -683 585.
 8. NATIONAL HIGHWAYS AUTHORITY OF INDIA
G.5 AND 6 SECTOR - 10DWARAKA
NEW DELHI - 110075REPRESENTED BY ITS SECRETARY.
- R BY SRI.T.V.GEORGE
R BY GOVERNMENT PLEADER
R BY SRI.THOMAS ANTONY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :

- EXT.P-1: JUDGEMENT OF THE HON'BLE HIGH COURT IN WPC NO.27011 OF 2012 DATED 20.12.2013 DIRECTING THE REMOVAL OF FLEX BOARDS AND HOARDINGS.
- EXT.P-2: JUDGEMENT IN CONT.CASE @ NO.651 OF 2013 DATED 25.9.2013 REITERATING THE DIRECTIONS CONTAINED IN EXHIBIT P1 JUDGEMENT.
- EXT.P-3: LETTER ISSUED BY THE THIRD RESPONDENT DATED 10.12.2013 TO THE PETITIONER'S COUNSEL.
- EXT.P-4: TRUE COPY OF THE LETTER ISSUED BY THE THIRD RESPONDENT DATED 10.3.2015 TO THE PETITIONER'S COUNSEL.
- EXT.P-5: ORDER OF THE 6TH RESPONDENT DATED 24.6.2014 ISSUED BY THE 1ST RESPONDENT UNDER THE DISASTER MANAGEMENT ACT, 2005.
- EXT.P-6: ORDER OF THE THIRD RESPONDENT DATED 26.6.2015 IN PURSUANCE OF EXHIBIT P5 ORDER.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

ASHOK BHUSHAN, C.J. & A.M. SHAFFIQUE, J.

W.P.(C) No. 20474 OF 2015

Dated this the 8th day of July, 2015

JUDGMENT

Ashok Bhushan, C.J.

This Public Interest Litigation has been filed by the petitioner praying for removal of flex boards and hoardings by the side of public roads. The petitioner's case is that though the petitioner has raised the issue by filing various writ petitions, the Government of Kerala issued Ext.P5 Government Order only on 24.06.2015. It is submitted that even after issuance of the Government Order, flex boards and hoardings are coming up and no action is being taken.

2. We have heard learned counsel for the petitioner and learned Government Pleader. We have perused the records.

3. Learned Government Pleader submits that in pursuance of the directions of the State Government, appropriate Committees have been constituted and the

Steel Industries Limited, Kerala is entrusted with the task of removing all hoardings, billboards, advertisement on signboards, flex boards etc only on 24.06.2015 and the petitioner has come up just after a week of issuance of the Government Order.

4. The Government itself have already addressed the issue and issued a Government Order, where directions have been issued to the State Executive, the Kerala State Disaster Management as well as the 7th respondent to take appropriate steps. Different authorities have been referred to in the Government Order who are directed to take action as per the statutory provision. It is too early to consider the submission of learned counsel for the petitioner that the Government Order is not being followed. We do not find it necessary to issue any direction at this stage. We only observe that in the event any flex boards or hoardings are erected in violation of the

WP(C) No. 20474 of 2015

-:3:-

Government Order dated 24.06.2015, it is also open for the public spirited persons to bring it to the notice of the competent authorities.

With the above observation, the Writ Petition is closed.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**

ttb/08/07