

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

WP(C).No. 21158 of 2015 (T)

PETITIONER:

A.X.GILBERT, AGED 57 YEARS,
S/O.A.A.XAVIER, ANJIPARAMBIL HOUSE,
CBI ROAD, KALOOR P.O., KOCHI-682017.

BY ADV. SRI.FRANKLIN CHELLATH

RESPONDENTS:

1. CORPORATION OF COCHIN
REPRESENTED BY ITS SECRETARY
HAVING MAIN OFFICE NEAR BOAT JETTY,
ERNAKULAM, KOCHI 682 011.
2. GREATER COCHIN DEVELOPMENT AUTHORITY
REPRESENTED BY ITS SECRETARY, GCDA OFFICE,
KADAVANTHRA, KOCHI - 682 020.
3. MR.T.S.MADHAVAN, RESIDING AT
HOUSE NO.1014 A, GREESHMAM,
GANDHINAGAR, NORTH END, KOCHI - 682 020.
4. STATE OF KERALA REPRESENTED BY
THE SECRETARY TO LOCAL ADMINISTRATION
TOWN PLANNING, THIRUVANANTHAPURAM - 695 001.

R2 BY ADV. SRI.C.A.MAJEED, GREATER COCHIN DEVELOPMENT AUTHORITY
R1 BY ADV. SRI.K.J.MANU RAJ
R3 BY ADV. SRI.K.A.SALIL NARAYANAN
BY GOVERNMENT PLEADER SRI. P.P. PADMALAYAN
R BY SRI.P.K.SOYUZ, SC, COCHIN CORPORATION

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08-10-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : DATED NIL TRUE PHOTOCOPY OF THE SKETCH SHOWING THE LIE AND SITUATION OF PETITIONER'S PROPERTIES WITH REFERENCE TO THE DRAINAGE, VACANT PLOT HAVING 0.75 CENTS AND NORTH END GANDHINAGAR ROAD.
- EXHIBIT P2 : DATED 04.03.2015 REPRESENTATION FORWARDED BY PETITIONER TO THE 1ST RESPONDENT.

RESPONDENT(S) EXHIBITS

- EXHIBIT R3 A : PHOTOGRAPHS SHOWING THE LIE OF THE PETITIONER'S PROPERTY AND THE ACCESS FROM IT TO THE MAIN ROAD.

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 21158 OF 2015

Dated this the 8th day of October, 2015

JUDGMENT

The petitioner alleges unauthorised construction by the third respondent in a vacant public place. The petitioner contends that this is right in front of his property and impedes his egress and ingress to the same. This ofcourse is emphatically denied by the third respondent who contends that only some vegetables are grown along the sides by the Development Committee.

2. The petitioner has in this regard submitted Ext.P2 representation with the first respondent. I direct the first respondent to consider Ext.P2 representation with notice to the petitioner and respondents 2 and 3. The needful shall be done within a period of six weeks from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd