

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

WP(C).No. 24448 of 2011 (E)

PETITIONER :

**C.S.ASHOK KUMAR, S/O.CHELLAPPAN,
CONTRACTOR, SANTHI, SAI NAGAR,
PAPPANAMCODE P.O, THIRUVANANTHAPURAM-695 018.
REPRESENTED BY HIS POWER OF ATTORNEY SRI.R.BABU,
S/O.RAGHAVAN, AGED 61 YEARS, EDAYILA VEEDU,
KADAPPAKKADA, KOLLAM.**

**BY ADVS.SRI.V.C.JAMES
SRI.SERGI JOSEPH THOMAS**

RESPONDENT(S):

- 1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, PORT AND HARBOUR
ENGINEERING DEPARTMENT, GOVERNMENT SECRETARIATE,
THIRUVANANTHAPURAM -695 001.**
- 2. THE CHIEF ENGINEER,
HARBOUR ENGINEERING DEPARTMENT,
THIRUVANANTHAPURAM -695 001.**
- 3. THE SUPERINTENDING ENGINEER,
HARBOUR ENGINEERING, SOUTH CIRCLE,
MANACAUDU P.O., THIRUVANANTHAPURAM-695 009.**
- 4. THE EXECUTIVE ENGINEER,
HARBOUR ENGINEERING, ASHRAMAM P.O,
KOLLAM -693 001.**
- 5. THE ASSISTANT EXECUTIVE ENGINEER,
HARBOUR ENGINEERING,ASHRAMAM P.O, KOLLAM -639 001.**
- 6. VISWAMBHARAN, S/O.KUMARAN,
GURUVANDANAM,KOTTAPPURAM MURI, PARAVOOR ,
KOLLAM DISTRICT- 693 101**

**R1 TO R5 BY SR GOVERNMENT PLEADER SRI.R.PADMARAJ
R6 BY ADVS. SRI.B.MOHANLAL
SRI.T.PRASAD**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 29-10-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

APPENDIX

PETITIONER(S) EXHIBITS

- EXT.P1 TRUE COPY OF THE LICENSE OF THE PETITIONER.
- EXT.P2 TRUE COPY OF THE AGREEMENT NO.30/HESC-2010-2011 DT. 3.2.2011 EXECUTED BETWEEN THE PETITIONER AND 3RD RESPONDENT.
- EXT.P3 TRUE COPY OF THE POWER OF ATTORNEY DT. 01.04.2011 EXECUTED BY THE PETITIONER.
- EXT.P4 TRUE COPY OF COMMUNICATION NO.B1/242/09 AEE DT. 7.3.2011 ISSUED BY THE 5TH RESPONDENT TO THE R.D.O.KOLLAM.
- EXT.P5 TRUE COPY OF THE AGREEMENT DT. 9.3.2011.
- EXT.P6 TRUE COPY OF THE COMPLAINT DT. 23.7.2011 FILED BEFORE THE 3RD RESPONDENT BY THE POWER OF ATTORNEY HOLDER OF THE PETITIONER.
- EXT.P7 TRUE COPY OF THE COMPLAINT DT. 29.7.2011 FILED BEFORE THE COMMISSIONER OF POLICE, KOLLAM CITY.
- EXT.P8 TRUE COPY OF THE RECEIPT DT. 05.8.2011 ISSUED THE COMMISSIONER OF POLICE.
- EXT.P9 TRUE COPY OF THE FIR IN CRIME NO.507/2011 REGISTERED BY THE PALLITHOTTAM POLICE.
- EXT.P10 TRUE COPY OF THE ORDER NO.D1-3069/2009/SE DT. 18.07.2011 ISSUED BY THE 3RD RESPONDENT.
- EXT.P11 TRUE COPY OF THE FORGED AGREEMENT DT. 4.7.2011 CREATED BY THE 6TH RESPONDENT.
- EXT.P12 TRUE COPY OF THE REPRESENTATION DT. 9.8.2011 FILED BEFORE 2ND RESPONDENT.
- EXT.P13 TRUE COPY OF THE REPRESENTATION DT. 10.8.2011 FILED BEFORE THE 3RD RESPONDENT.

RESPONDENTS' EXHIBITS: NIL

/TRUE COPY/

P.S.TO JUDGE

A.M. SHAFFIQUE, J.

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W.P. (C) No. 24448 of 2011

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Dated this, the 29th day of October, 2015

J U D G M E N T

Petitioner has filed this writ petition challenging Ext.P10 order by which the 3rd respondent had directed withholding of certain amount from the part bill of the petitioner. It is now submitted by the learned counsel appearing for the petitioner as well as the learned Government Pleader that the bill amounts had since been released.

Under the above circumstances, no order is required to be passed in the above writ petition and accordingly, the writ petition is dismissed.

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp

30/10/2015

//True Copy//

PS to Judge