

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

WP(C).No. 21477 of 2015 (S)

PETITIONER(S) :-

ANIL K.N., AGED 30 YEARS
S/O. KUNJAPPAN P.K, KEERUKUNNELMAL HOUSE
OLIYAPURAM P.O, KOOTHATTUKULAM - 686 662.

BY ADVS.SRI.R.RATHEESH
SRI.J.G.SYAMNATH

RESPONDENT(S) :-

1. THE DISTRICT COLLECTOR
COLLECTORATE, KAKKANAD, ERNAKULAM - 682 030.
2. KOOTHATTUKULAM GRAMA PANCHAYATH,
KOOTHATTUKULAM P.O., KOOTHATTUKULAM - 686 662
REPRESENTED BY ITS SECRETARY
3. ST.JOHNS SYRIAN CHURCH, VADAKARA, OLIYAPPURAM P.O.,
KOOTHATTUKULAM - 686 662 REPRESENTED BY ITS
VICAR FR.JOY KADUKKAMMAKKIL
4. THE SUB INSPECTOR OF POLICE,
KOOTHATTUKULAM - 686 662.

R2 BY ADV. SRI.K.M.JAMALUDHEEN
R3 BY ADV. SRI.BIJU ABRAHAM
R1 & R4 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 17-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

jvt

WP(C) .No. 21477 of 2015 (S)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT P1 : A TRUE COPY OF THE INFORMATION GIVEN BY THE 2ND
RESPONDENT DATED 10-06-2015.

EXHIBIT P1(a) : TRUE COPY OF THE ENGLISH TRANSLATION OF
EXHIBIT P1.

EXHIBIT P2 : A TRUE COPY OF THE LETTER DATED 18-05-2013 FROM
THE 2ND RESPONDENT TO THE 1ST RESPONDENT.

EXHIBIT P2(a) : TRUE COPY OF THE ENGLISH TRANSLATION OF
EXHIBIT P2.

EXHIBIT P3 : A TRUE COPY OF THE DIRECTION GIVEN BY THE
DISTRICT COLLECTOR TO THE 2ND RESPONDENT DATED 02-08-2013.

EXHIBIT P3(a) : TRUE COPY OF THE ENGLISH TRANSLATION OF
EXHIBIT P3.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

**ASHOK BHUSHAN, C.J &
K. VINOD CHANDRAN, J.**

W.P.(C) No.21477 of 2015

Dated this the 17th day of September 2015

J U D G M E N T

Vinod Chandran, J.

The petitioner seeks interdiction of the 'prayer' carried on by the 3rd respondent in a temporary shed. Obviously, even going by the averments in the writ petition, there was a church situated in Survey No.93/2B, 93/3 and 93/4 of Koothattukulam Village and the building was demolished for the purpose of widening the road. In the balance property allegedly a temporary shed has been erected and prayers have been carried on by the 3rd respondent. The petitioner has filed this Public Interest Litigation claiming that such prayers cause disturbance to the general public and the construction itself is unauthorised.

2. The petitioner relies on Exts.P2 and P3, which orders are of the year 2013. We are not apprised what transpired thereafter. If at all any disturbance is caused and the

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petitioner has any grievance against the conduct of prayers, he would be entitled to move before the appropriate authorities. The petitioner could also take up the issue with the Local Self Government Institution, if there is an unauthorised construction. However, we cannot discern any public interest, at the moment, to invoke the extra-ordinary jurisdiction.

With the above reservation, this writ petition would stand closed.

**Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE**

**Sd/-
K. VINOD CHANDRAN
JUDGE**