

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 25TH DAY OF SEPTEMBER 2015/3RD ASWINA, 1937

WP(C).No. 22910 of 2015 (K)

PETITIONER(S):

**ABDUL JABBAR,
S/O.SAINUDHEEN HAJI, IKKARAKUDI HOUSE, U.C.COLLEGE,
VELIYATHUNAD KARA, KARUMALLOOR VILLAGE, PARUR TALUK,
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.N.MANOJ KUMAR
SMT.JAYASREE MANOJ**

RESPONDENT(S):

- 1. STATE OF KERALA,
REP. BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF IRRIGATION, SECRETARIAT,
THIRUVANANTHAPURAM 695 001.**
- 2. THE CHIEF ENGINEER,
IRRIGATION AND ADMINISTRATION,
THIRUVANANTHAPURAM 695 001.**
- 3. THE EXECUTIVE ENGINEER,
PERIYAR VALLEY IRRIGATION PROJECT, DIVISION NO.II,
ALUVA.**
- 4. THE EXECUTIVE ENGINEER, PWD ROADS DIVISIONS,
THRIKKAKARA PO, ERNAKULAM 682 021.**
- 5. THE ASSISTANT ENGINEER
PWD BRIDGES SUB DIVISION, NORTH PARAVUR.**
- 6. THE DISTRICT COLLECTOR,
ERNAKULAM, COLLECTORATE, KAKKANAD.**

*** ADDL.R7 THE REVENUE DIVISIONAL OFFICER, FORT KOCHI- 682 001**

***ADDL.R7 IS IMPEADED AS PER THE ORDER DATED 25/9/2015**

**R2-R5 BY ADV. SRI.K.A.JALEEL, ADDL. ADVOCATE GENERAL
R1 & R6 BY GOVERNMENT PLEADER SRI.GIKKU JACOB**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

AD

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1- TRUE PHOTOGRAPH OF THE NEWLY CONSTRUCTED ROAD ON THE
EASTERN SIDE OF THE PETITIONER'S PROPERTY.**

**EXHIBIT P1(A)- TRUE PHOTOGRAPH OF THE NEWLY CONSTRUCTED ROAD ON THE
EASTERN SIDE OF THE PETITIONER'S PROPERTY.**

**EXHIBIT P1(B)- TRUE PHOTOGRAPH OF THE NEWLY CONSTRUCTED ROAD ON THE
EASTERN SIDE OF THE PETITIONER'S PROPERTY.**

**EXHIBIT P2- TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN WP
NO.23299 OF 2014**

**EXHIBIT P3- TRUE COPY OF THE ORDER DATED 5.11.2014 OF THIS HON'BLE COURT
TIN R.P. NO.765 OF 2014 IN WP BNO.23299 OF 2014**

**EXHIBIT P4- TRUE COPY OF THE JUDGMENT DATED 5.1.2015 IN WRIT APPEAL
NO.1998 OF 2014**

**EXHIBIT P5- TRUE COPY OF THE NOTICE DATED 9.12.2014 OF THE ASSISTANT
EXECUTIVE ENGINEER, PVIP SUB DIVISION, NO.IV , ALUVA.**

**EXHIBIT P6- TRUE COPY OF THE NOTICE PUBLISHED IN CONNECTION WITH THE
INAGURATION OF THE "MARIAPPADY -PERIYAR VALLY CANAL ROAD.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

PA. TO JUDGE

AD

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.22910 of 2015

Dated this the 25th day of September, 2015

JUDGMENT

I.A No. 13815 of 2015

Additional documents are received. However, in view of the final judgment is being disposed. Interim relief sought for in the I.A is closed.

W.P.(C).No.22910 of 2015

The petitioner, as against Ext.P7 order passed under the Land Conservancy Act, has approached the Revenue Divisional Officer, the additional 7th respondent, this Court is of the view that the appeal shall be considered by the 7th respondent after hearing the petitioner within a period of one month from the date of receipt of a copy of this judgment. It is also open for the petitioner to move any stay application before the 7th respondent and stay petition shall be considered within one week.

2. For a period of one week, status quo shall be maintained.

The writ petition is disposed of.

Sd/-
A.MUHAMED MUSTAQUE
JUDGE

AD