

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

WP(C).No. 24655 of 2015 (F)

PETITIONER :

**K.A. NAZAR
S/O.K.S.ABDUL AZEEZ, AGED 50 YEARS
RESIDING AT KUMBLAKOTTIL HOUSE
ELAVANCHERRY P.O., ELAVANCHERRY VILLAGE,
CHITTOOR TALUK, PALAKKAD DISTRICT.**

**BY ADVS.SRI.N.RADHAKRISHNAN
SMT.RADHIKA P. GOPINATH**

RESPONDENT(S) :

- 1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO GOVT.,
HOME AND VIGILANCE DEPT., GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 2. THE DIRECTOR
VIGILANCE & ANTI-CORRUPTION BUREAU
THIRUVANANTHAPURAM-695 002.**
- 3. THE CHIEF ENGINEER
IRRIGATION DEPARTMENT,
THIRUVANANTHAPURAM-695 001.**
- 4. THE EXECUTIVE ENGINEER
IRRIGATION DIVISION, MALAMPUZHA,
PALAKKAD DISTRICT-695 001.**
- 5. THE DISTRICT COLLECTOR
PALAKKAD-688 001.**
- 6. THE DISTRICT POLICE CHIEF
PALAKKAD-688001.**

R1 TO R6 BY PUBLIC PROSECUTOR SMT. P. MAYA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 24655 of 2015 (F)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT.P1. TRUE COPY OF THE LETTER DATED 6/5/2014 ISSUED BY THE ASSISTANT ENGINEER, RBC SECTION, NENMARA ADDRESSED TO THE ASST.EXE.ENGINEER, IRRIGATION SUB DIVISION, NENMARA.
- EXT.P2 TRUE COPY OF THE ENQUIRY REPORT BY THE SUB INSPECTOR OF POLICE, NENMARA DATED 17/5/2014 ADDRESSED TO THE DISTRICT POLICE CHIEF.
- EXT.P3 TRUE COPY OF THE COMPLAINT ADDRESSED TO THE EXECUTIVE ENGINEER, IRRIGATION DIVISION, MALAMPUZHA DATED 8/11/2014.
- EXT.P4 TRUE COPY OF THE COMPLAINT DATED 8/11/2014 ADDRESSED TO THE CHIEF ENGINEER, IRRIGATION DEPARTMENT, THIRUVANANTHAPURAM.
- EXT.P5 TRUE COPY OF THE COMPLAINT DATED 8/11/2014 ADDRESSED TO THE SECRETARY TO GOVT., HOME AND VIGILANCE DEPARTMENT, THIRUVANANTHAPURAM.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

B. KEMAL PASHA, J.

.....
W.P.(C) No.24655 of 2015
.....

Dated this the 4th day of September, 2015

J U D G M E N T

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The request of the petitioner is to have a proper investigation on Exts.P3, P4 and P5 complaints preferred by the petitioner alleging illegal encroachments into the government land and waste is being committing on it by such encroachers.

2. The Inspector of Police, Vigilance and Anti Corruption Bureau, Palakkad has reported that apart from directing the police to register a crime for the offence under Section 379 IPC, a quick verification was conducted by the vigilance wing and specific recommendations have been made.

3. The Superintending Engineer, Siruvani Project Circle, Palakkad, is directed to take steps for vacating such illegal encroachers detected on such verification. Further,

the District Collector, Palakkad is directed to take appropriate steps against such encroachers based on the recommendations made by the Vigilance and Anti Corruption Bureau in SC.3/11/PKD. The government shall see the recommendations and further actions have to be initiated against such continued encroachments.

With the said directions, this writ petition is disposed of.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/07/09

// True Copy //

PA to Judge