

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

FRIDAY, THE 9TH DAY OF JANUARY 2015/19TH POUSHA, 1936

WP(C).No. 25766 of 2014 (U)

PETITIONERS:

1. MAMMAN JACOB, S/O C.C. JACOB,
CHETHIPURAKKAL HOUSE,
KUNNIRIKKAL P.O., KUTTANAD.
2. SUJA MAMMAN, W/O MAMMAN JACOB,
CHETHIPURAKKAL HOUSE,
KUNNIRIKKAL P.O., KUTTANAD.

BY ADVS. SRI. SAIGI JACOB PALATTY
SMT. P.G. LIPSY GASPER

RESPONDENTS:

1. GOVERNMENT OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
THIRUVANANTHAPURAM 695 001.
2. THE DISTRICT COLLECTOR,
ERNAKULAM, KAKKANAD 682 030.
3. THE CORPORATION OF COCHIN,
REPRESENTED BY ITS SECRETARY,
COCHIN CORPORATION'S OFFICE,
ERNAKULAM 682 011.

R3 BY ADV. SRI. RAAJESH S. SUBRAHMANIAN, SC, COCHIN CO
BY SRI. P.K. SOYUZ, SC, COCHIN CORPORATION
BY SENIOR GOVERNMENT PLEADER SRI. S. JAMAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 : THE TRUE PHOTOCOPY OF THE SALE DEED NO.5310/1999 OF
EDAPPALLY SUB REGISTRAR'S OFFICE
- EXHIBIT P2 : TRUE PHOTOCOPY OF THE LAND TAX RECEIPT
- EXHIBIT P3 : TRUE PHOTOCOPY OF THE SANCTION ORDER ISSUED BY THE 1ST
RESPONDENT
- EXHIBIT P4 : TRUE PHOTOCOPY OF THE LETTER ISSUED BY THE 3RD
RESPONDENT TO THE 2ND RESPONDENT
- EXHIBIT P5 : TRUE PHOTOCOPY OF THE REPRESENTATION SUBMITTED TO THE
2ND AND 3RD RESPONDENT BY THE PETITIONER

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

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Dated this the 9th day of January, 2015

JUDGMENT

The petitioners are aggrieved by the indefinite freezing of their lands under the guise of land acquisition. The petitioners contend that such action is irrational and unjustified. The petitioners rely on the following decisions in support of their contention.

(i) Padmini Vs. State of Kerala

[1999 (3) KLT 465]

(ii) Nasar P.K. and others Vs.

Malappuram Municipality [2009 (3)

KLT 92]

(iii) Kalpetta Municipality Vs. M.

Mohandas and others [2012 (1) KLT

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2. The petitioners have in this regard submitted Ext.P5 representation addressed to respondents 2 and 3. The petitioners are eager to start construction activity in the

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property and need building permit. I therefore direct the third respondent to consider Ext.P5 representation with notice to the petitioners. The needful shall be done within a period of six weeks from the date of production of a copy of this judgment.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd