

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 10TH DAY OF SEPTEMBER 2015/19TH BHADRA, 1937

WP(C).No. 26180 of 2015 (V)

PETITIONERS:

1. ALPHONSA, W/O.PERUMAL,
KALLUVELIYIL HOUSE, KOLAHALAMEDU P.O.,
VAGAMON, ELAPPARA, IDUKKI 685 501.
2. ANISHKUMAR, S/O.KURISH,
PUTHUPARAMBIL HOUSE, KOLAHALAMEDU,
VAGAMON, ELAPPARA, IDUKKI 685501.
3. SOBHANA, W/O.GOPALAKRISHNAN,
PUTHUPARAMBIL, KOLAHALAMEDU PO,
VAGAMON, ELAPPARA, IDUKKI 685501
4. BIJU, S/O.NANU, PUTHUPARAMBIL HOUSE,
VEDIKKUZHY PUTHUVEL, KOLAHALAMEDU PO,
VAGAMON, ELAPPARA, IDUKKI 685501
5. P.N.SHAJI, S/O.NANU, PUTHUPARAMBIL
HOUSE, KOLAHALAMEDU P.O.,
VAGAMON, ELAPPARA, IDUKKI 685501
6. KUNJUMON, S/O.MATHAI, PARAYIL HOUSE,
VEDIKKUZHY PUTHUVEL, KOLAHALAMEDU PO,
VAGAMON, ELAPPARA, IDUKKI 685501
7. SUMA GIRISH, PALLATHADATHIL,
KOLAHALAMEDU PO, VAGAMON
ELAPPARA, IDUKKI 685501
8. JAWAHAR N, S/O.NATARAJAN,
SIVODAYA HOUSE, KOLAHALAMEDU PO,
VAGAMON, ELAPPARA, IDUKKI 685501
9. PADMAKUMAR, S/O.VASU ACHARI,
VAZHAKKALAYIL HOUSE, KOLAHALAMEDU PO,
VAGAMON, ELAPPARA, IDUKKI 685501
10. P.K. GIRISH KUMAR, S/O.P.P.KUNJUMON,
PAZHANILATHIL HOUSE, KOLAHALAMEDU PO,
VAGAMON, ELAPPARA, IDUKKI 685501

11. BALAMANI A, D/O.KUNJUMON P,
PULIPARAMBIL HOUSE, KOLAHALAMEDU PO,
VAGAMON, ELAPPARA, IDUKKI 685501
12. SUDHA VINCENT, 115 A, KOLAHALAMEDU PO,
VAGAMON, ELAPPARA, IDUKKI 685501
13. SUMESH S.M., MUNDADIYIL HOUSE,
KOLAHALAMEDU PO, VAGAMON,
ELAPPARA, IDUKKI 685501
14. GIRIJA, D/O.KUNJUKUTTY,
PALLATHADATHIL HOUSE, KOLAHALAMEDU PO
VAGAMON, ELAPPARA, IDUKKI 685501
15. MURUKESAN P., S/O.PALPANDI,
KAVAKKUYLAM PUTHUVAL, BONAMI,
FAIR FIELD P.O.
16. DHARMARAJ, SURYA BHAVAN,
VEDIKKUZHY PUTHUVAL, KOLAHALAMEDU PO,
VAGAMON, ELAPPARA, IDUKKI 685501

BY ADV. SRI.UNNIKRISHNAN.V.ALAPATT

RESPONDENT(S):

1. ELAPPARA GRAMA PANCHAYATH
ELAPPARA PO, IDUKKI DISTRICT 685501
REPRESENTED BY ITS SECRETARY
2. THE SECREARY, ELAPPARA GRAMA PANCHAYATH
ELAPPARA PO, IDUKKI DISTRICT 685501

R1 & R2 BY ADV. SRI.J.JULIAN XAVIER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE PHOTOGRAPHS
- EXHIBIT P2 : TRUE COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT DATED 09.04.2015
- EXHIBIT P3 : TRUE COPY OF THE REQUEST UNDER RIGHT TO INFORMATION ACT DATED 20.04.2015
- EXHIBIT P4 : TRUE COPY OF THE REPLY DATED 18.05.2015 GIVEN BY THE STATE PUBLIC INFORMATION OFFICER
- EXHIBIT P5 : TRUE COPY OF THE REQUEST SUBMITTED BY SRI. SURESH PK, DATED 13.07.2015
- EXHIBIT P6 : TRUE COPY OF THE REPLY SUBMITTED STATE PUBLIC INFORMATION OFFICER DATED 10.08.2015
- EXHIBIT P7 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE RESIDENTS OF THE COLONY DATED 25.07.2015
- EXHIBIT P8 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY KOLAHALAMEDU MERCHANTS ASSOCIATION DATED 19.08.2015
- EXHIBIT P9 : TRUE COPY OF THE NOTICE DATED 04.08.2015 ISSUED BY THE RESIDENTS, ELAPPARA GRAMA PANCHAYATH
- EXHIBIT P10 : TRUE COPY OF THE LETTER DATED 29.05.2015 ISSUED BY THE STATE PUBLIC INFORMATION OFFICER

RESPONDENT(S)' EXHIBITS

- EXHIBIT R2(a) : TRUE COPY OF THE ESTIMATE REPORT APPROVED BY THE ASSISTANT ENGINEER LSGD SECTION ELAPPARA
- EXHIBIT R2(b) : TRUE COPY OF THE TECHNICAL SANCTION ISSUED BY THE ASSISTANT EXECUTIVE ENGINEER LSGD SUB DIVISION AZHUTHA PEERUMADU.

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 26180 OF 2015

Dated this the 10th day of September, 2015

JUDGMENT

The petitioners are displaced shop keepers who seek rehabilitation. The shops were earlier erected on the side of the panchayat road. It is conceded that the shops have been demolished pending writ petition.

2. All that the petitioners now seek is rehabilitation. They want an alternate space to conduct the business as before. It is open to the petitioners to move the first respondent in this regard.

3. Any representation filed with the panchayat committee within one month shall be dealt with as per law within a period of one month thereafter. The possibility of rehabilitating the petitioners by providing alternate space to erect the shop rooms shall be explored.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**