

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

WP(C).No. 26882 of 2015 (I)

PETITIONERS:

1. ABRAHAM POTHEN, AGED 75 YEARS,
S/O. POTHEN ABRAHAM, RESIDING AT
ODAKKAL HOUSE, PUTHENAGADI, KOTTAYAM.
2. JOLLY MAMAN, W/O. SUNNY ABRAHAM,
RESIDING AT ODAKKAL HOUSE,
PUTHENAGADI, KOTTAYAM.

BY ADV. SRI. M. J. THOMAS

RESPONDENTS:-

1. THE DISTRICT COLLECTOR,
OFFICE OF THE DISTRICT COLLECTOR,
KOTTAYAM - 686 001.
2. THE TAHSILDAR,
KOTTAYAM - 686 001.
3. THE EXECUTIVE ENGINEER,
PWD BUILDING AND ROADS,
KOTTAYAM - 686 001.
4. THE SECRETARY,
KOTTAYAM MUNICIPALITY,
KOTTAYAM - 686 001.
5. THE KOTTAYAM MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
MUNICIPAL BUILDING, KOTTAYAM - 686 001.

BY GOVERNMENT PLEADER SMT. K.A. SANJEETHA
BY SRI. S. RANJIT (KOTTAYAM), SC, KOTTAYAM MUNICIPALITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE PROPERTY TAX RECEIPT DATED 23.06.2015 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P2 TRUE COPY OF THE TAX RECEIPT EVIDENCING PAYMENT OF LAND TAX IN RESPECT OF THE ABOVE PROPERTY FOR THE YEAR 2015-2016 DATED 21.04.2015.
- EXHIBIT P3 TRUE COPY OF THE PROPERTY TAX RECEIPT DATED 21.04.2015 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P4 TRUE COPY OF THE SITE PLAN ISSUED TO THE PETITIONER.
- EXHIBIT P5 TRUE COPY OF THE PHOTOGRAPH SHOWING THE LIE OF THE ROAD AS WELL AS THE LIE OF THE ABOVE BUILDING.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 26882 OF 2015

Dated this the 11th day of September, 2015

JUDGMENT

The petitioners apprehend forcible dispossession from their property by the respondents under the cover of widening the abutting road. Any widening of the road if proposed can only be done following the due process of law. No further directions are warranted at this juncture since proceedings for acquisition have not so far started.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd