

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

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

WP(C).No. 27517 of 2015 (L)

PETITIONER:

**ASHARAF M.A., AGED 63 YEARS,
S/O.MULLAKKARA ABDULLA, P.O.MURKANAD,
KARUVANNUR, THRISSUR DISTRICT, PIN - 680 711.**

**BY ADVS.SRI.M.R.VENUGOPAL
SMT.DHANYA P.ASHOKAN**

RESPONDENT(S):

- 1. STATE OF KERALA, REPRESENTED BY
THE DISTRICT COLLECTOR, COLLECTORATE,
AYYANTHOLE,. THRISSUR, PIN - 680 003.**
- 2. THE EXECUTIVE ENGINEER,
ADDITIONAL IRRIGATION DIVISION,
CHEMBUKKAVU, THRISSUR, PIN - 680 020.**
- 3. THE ASSISTANT ENGINEER, IRRIGATION SECTION,
MINI CIVIL STATION, IRINJALAKUDA,
THRISSUR DISTRICT, PIN - 680121.**
- 4. THE SECRETARY, IRINJALAKUDA MUNICIPALITY,
IRINJALAKUDA, THRISSUR DISTRICT, PIN - 682 0121.**
- 5. THE VILLAGE OFFICER, PORATHISSERY VILLAGE,
KARUVANNUR, THRISSUR DISTRICT, PIN - 680 711.**
- 6. SAROJINI, W/O.VALLATTU PARAMBIL VELAYUDHAN,
P.O.MURKANAD, THRISSUR, PIN - 680 711.**
- 7. SALAM, S/O.KOCHUMUHAMMAD, MOOSERYPARAMBIL,
P.O.MURKANAD, THRISSUR, PIN - 680 711.**

**R1 TO R3 & R5 BY GOVERNMENT PLEADER SMT.C.K.SHERIN
R4 BY SRI.ARUN ANTONY**

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

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APPENDIX

PETITIONERS' EXHIBITS:

- EXT. P1 : TRUE COPY OF THE PROPERTY TAX RECEIPT DATED 23.4.2014.
- EXT. P2 : TRUE COPY OF REPORT NO.17/03 DATED 26.2.2003 ALONG WITH SKETCH SUBMITTED BY 5TH RESPONDENT.
- EXT. P3 : TRUE COPY OF REPRESENTATION DATED 7.11.2013 FILED BEFORE THE CHIEF MINISTER OF KERALA.
- EXT. P4 : TRUE COPY OF THE REPLY DATED 22.4.2014 GIVEN BY THE 2ND RESPONDENT.
- EXT. P5 : TRUE COPY OF LETTER NO.A3-18383/2013(1) DATED 6.6.2014 ISSUED BY THE 2ND RESPONDENT.
- EXT. P6 : TRUE COPY OF LETTER NO.A7-2284/2013 DATED 18.6.2014 ISSUED BY THE 2ND RESPONDENT.
- EXT. P7 : TRUE COPY OF THE LETTER NO.A3-18383/2013 DATED 1.7.2014 ISSUED BY THE SUB COLLECTOR, THRISSUR.
- EXT. P8 : TRUE COPY OF NOTICES ISSUED TO THE RESPONDENT NO.6.
- EXT. P9 : TRUE COPY OF NOTICES ISSUED TO THE RESPONDENT NO.7.
- EXT. P10 : TRUE COPY OF JUDGMENT DATED 9.2.2015 IN WP(C)NO.2934/2015.
- EXT. P11 : TRUE COPY OF COVERING LETTER DATED 21.2.2015 ALONG WITH ACKNOWLEDGMENT.
- EXT. P12 : TRUE COPY OF THE DECISION TAKEN IN THE JOINT MEETING DATED 5.5.2015.
- EXT. P13 : TRUE COPY OF THE NOTICE DATED 8.7.2015 ISSUED TO THE 2ND RESPONDENT BY THE PETITIONER.
- EXT. P14 : TRUE COPY NOTICE DATED 3.8.2015 ISSUED TO THE 6TH RESPONDENT BY THE ASSISTANT ENGINEER, IRINJALAKUDA.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No.27517 of 2015

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Dated this the 11th day of September, 2015

J U D G M E N T

The petitioner approached this Court on account of delay in implementing the order passed by the third respondent, ordering removal of encroachment made by the 6th and 7th respondents.

2. In that view of the matter, if there is no interdiction from any competent court or any authority, the third respondent shall implement the above order of removal of encroachment without any delay at any rate within one month from the date of receipt of the copy of this judgment.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE