

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

WP(C).No. 27987 of 2015 (W)

PETITIONER(S):

1. **KANAKARAJAN, S/O.JAMES,
JAMES COTTAGE, T.C.11/174(1)
2E KANAKA NAGAR, KOWDIAR P.O. 695 003.**
2. **D.SAM KUNJU, KADAYARA PUTHEN VEEDU,
ARUVIKUZH, VEERANAKAVU P.O.,
THIRUVANANTHAPURAM - 695 574.**

**BY ADVS.SRI.SUMAN CHAKRAVARTHY
SMT.K.R.RIJA**

RESPONDENT(S):

1. **THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM - 695 001.**
2. **THE STATE POLICE CHIEF, KERALA,
POLICE HEADQUARTERS, THIRUVANANTHAPURAM - 695 001.**
3. **THE DISTRICT POLICE CHIEF,
THIRUVANANTHAPURAM - 695 001.**
4. **SAMYUKTHA SAMARASAMITHI CSI,
LMS, PALAYAM, THIRUVANANTHAPURAM - 695 001,
REPRESENTED BY ITS CONVENER J.WILFRED RAJ.**

R1-R3 BY SENIOR GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 27987 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1: A TRUE COPY OF THE PHOTOGRAPHS.

EXT.P2: A TRUE COPY OF THE COMPLAINT GIVEN TO THE FIRST RESPONDENT.

EXT.P3: A TRUE COPY OF THE COMPLAINT GIVEN TO THE SECOND RESPONDENT.

EXT.P4: A TRUE COPY OF THE CIRCULAR DTD.18.4.2012.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.27987 of 2015

Dated this the 16th day of September, 2015.

J U D G M E N T

The petitioners, aggrieved by the unauthorised occupation of footpath by the 4th respondent and others, have approached this Court.

2. If the 4th respondent and others are occupying the footpath without any authorisation, necessary action shall be taken by the 3rd respondent to remove them from the occupation of the footpath. Before taking any action, notice shall be given to the 4th respondent. Necessarily, needful shall be done in the light of provisions contained in the Kerala Public Ways (Restriction of Assemblies and Processions) Act, 2011.

Writ petition is disposed of accordingly.

Sd/-
A.MUHAMED MUSTAQUE,
Judge.

ami/

//True copy//

P.A.to Judge