

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

WP(C).No. 29357 of 2014 (T)

PETITIONER:

**CHAITHANYA NATIONAL SOCIETY FOR DISABLED
(REG. NO 1 251/2011), REPRESENTED BY THE GENERAL SECRETARY
P.S. SAJI, S/O. SASIDHARAN, PARAPPUTHENVEETIL HOUSE
ADIMALY KARA, MANNAMKANDOM P.O. AND VILLAGE
DEVIKULAM TALUK, IDUKKI DISTRICT.**

BY ADV. SRL.PADAYATTEE YELDO

RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY TO LOCAL SELF
GOVERNMENT
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695 001**
- 2. THE DIRECTOR OF PANCHAYATH
DIRECTORATE OF PANCHAYATH,
THIRUVANANTHAPURAM - 695 001**
- 3. ADIMALY GRAMA PANCHAYATH
REPRESENTED BY THE SECRETARY,
MANNAMKANDOM VILLAGE
ADIMALY P.O.,
DEVIKULAM - 685 561.**

**R1 BY GOVERNMENT PLEADER SMT. SANJEETHA K.A.
R3 BY ADV.SRI.LATHEESH SEBASTIAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT-P1- TRUE COPY OF THE REGISTRATION DATED 30/11/2011.**
- EXHIBIT-P2- TRUE COPY OF THE JUDGMENT IN W.P(C) 9875/2009 DATED 27/03/2009**
- EXHIBIT-P3- TRUE COPY OF THE ORDER ISSUED BY THE 1ST RESPONDENT DATED 14/08/2009.**
- EXHIBIT-P4- TRUE COPY OF THE AGREEMENT ENTERED WITH DISTRICT PANCHAYATH DATED 22/09/2009.**
- EXHIBIT-P5- TRUE COPY OF THE JUDGMENT IN W.P(C) 3429/2010 AND 6986 DATED 08/06/2010.**
- EXHIBIT-P6- TRUE COPY OF THE ORDER OF THE 1ST RESPONDENT DATED 25/09/2010.**
- EXHIBIT-P7- TRUE COPY OF THE REPRESENTATION FILED BEFORE THE CHIEF MINISTER DATED 25/03/2012.**
- EXHIBIT-P8- TRUE COPY OF THE LETTER OF P.T. THOMAS DATED 25/03/2012.**
- EXHIBIT-P9- TRUE COPY OF THE LETTER OF K. MURALEEDHARAN ALONG WITH RECOMMENDATION OF CM DATED 29/03/2012.**
- EXHIBIT-P10- TRUE COPY OF THE ACKNOWLEDGMENT ISSUED FROM THE OFFICE OF THE CM DATED 02/08/2012.**
- EXHIBIT-P11- TRUE COPY OF THE REMINDER ISSUED BY THE DDP, THODUPUZHA DATED 04/05/2012.**
- EXHIBIT-P12- TRUE COPY OF THE LETTER ISSUED BY THE PETITIONER TO THE 3RD RESPONDENT DATED 28/03/2014.**
- EXHIBIT-P13-TRUE COPY OF THE INAUGURATION NOTICE PROPOSED TO BE HELD BY CHIEF MINISTER.**
- EXHIBIT-P14-TRUE COPY OF THE PHOTOGRAPH SHOWING THE NEW SHOPPING COMPLEX OF THE RESPONDENT**
- EXHIBIT-P15- TRUE COPY OF THE PUBLIC AUCTION NOTICE DATED 07/07/2014.**
- EXHIBIT-P16- TRUE COPY OF THE RE-AUCTION NOTICE DATED 25/07/2014.**
- EXHIBIT-P17- TRUE COPY OF THE REPRESENTATION FILED BEFORE THE MINISTER FOR LOCAL SELF GOVERNMENT DATED 27/05/2014.**

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EXHIBIT-P18- TRUE COPY OF THE LETTER OF M.L.A DATED 27/05/2014.

EXHIBIT-P19- TRUE COPY OF THE LETTER OF M.P DATED 22/09/2014.

EXHIBIT-P20- TRUE COPY OF THE COVERING A/D CARD DATED 08/10/2014.

**EXHIBIT-P21- TRUE COPY OF THE PHOTOGRAPH OF ACTIVITIES OF THE
SOCIETY.**

RESPONDENT(S)' EXHIBITS:-

EXT. R3(a):- COPY OF THE AUCTION NOTICE DATED 22.9.2015

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 29357 OF 2014

Dated this the 30th day of September, 2015

JUDGMENT

Ext. P6 order dated 25.09.2010 was passed adverse to the interest of the 'Confederation of Societies for Deaf'. The petitioner - Chaithanya National Society for disabled - has filed the writ petition on 06.11.2014 only. Added to this is the fact that the petitioner has participated in the auction and obtained the right to occupy a room in the shopping complex. The above conduct of the petitioner also acts as an estoppel against filing the present writ petition.

The writ petition is dismissed.

**V. CHITAMBARESH
JUDGE**

DCS