

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 21ST DAY OF OCTOBER 2015/29TH ASWINA, 1937

WP(C).No. 30183 of 2015 (W)

PETITIONERS :

- 1. AJEESH .P.P., AGED 59 YEARS,
AGED 45 YEARS, S/O LATE P.S.PRABHAKARAN
PUTHUPPALLY HOUSE VENGINADU, THRISSUR
REP. BY POWER OF ATTORNEY HOLDER RAHULAN
S/O LATE GANGADHARAN, PUTHUPPALLY HOSUE,
ASSARIKKUNNU, VELLINOOR P.O., THRISSUR.**
- 2. RAHULAN, AGED 59 YEARS,
S/O LATE GAGADHARAN, PUTHUPPALLY HOUSE,
ASSARIKKUNNU, VELLINOOR P.O, THRISSUR.**

**BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.K.R.ARUN KRISHNAN**

RESPONDENTS :

- 1. STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT,
LOCAL SELF GOVERNMENT DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.**
- 2. THE SECRETARY
THRISSUR CORPORATION,
OFFICE OF THE THRISSUR CORPORATION, THRISSUR
AYYANTHOLE P.O., THRISSUR DISTRICT-680 001.**
- 3. THE THAHASILDAR
LAND ACQUISITION, OFFICE OF THE THAHASILDAR,
COLLECTORATE, THRISSUR-680 001.**

**R1 & R3 BY GOVERNMENT PLEADER SMT. LILLY K.T.
R2 BY ADVS. SRI.K.P.VIJAYAN
SRI.V.N.HARIDAS**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: THE ORIGINAL POWER OF ATTORNEY EXECUTED BY THE FIRST PETITIONER IN FAVOUR OF THE SECOND PETITIONER DATED 4.3.2015.
- EXHIBIT P2: A TRUE COPY OF THE AWARD BY THE THIRD RESPONDENT DATED 19.2.1976.
- EXHIBIT P3: A TRUE COPY OF ANOTHER AWARD NO.2/1977 DATED 15.2.2007 OF THE THIRD RESPONDENT DATED 15.2.1977.
- EXHIBIT P4: A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE FATHER OF THE FIRST PETITIONER TO THE THEN MUNICIPAL COUNCIL, THRISSUR DATED 18.2.191.
- EXHIBIT P5: A TRUE COPY OF SIMILAR REPRESENTATION SUBMITTED BY ONE K.K.KALIKUTTY DATED 6.8.1990.
- EXHIBIT P6: A TRUE COPY OF THE DECISION TAKEN BY THE THEN MUNICIPAL COUNCIL DATED 19.11.1991.
- EXHIBIT P7: A TRUE COPY OF THE DECISION TAKEN BY THE DEVELOPMENT COMMITTEE OF THEN MUNICIPAL COUNCIL DATED 18.9.1992.
- EXHIBIT P8: A TRUE COPY OF THE JUDGMENT IN OS NO.2129 OF 1989 OF THE COURT OF IST ADDITIONAL MUNSIF, THRISSUR DATED 3.7.1992.
- EXHIBIT P9: A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS BEFORE THE SEND RESPONDENT DATED 10.5.2015.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A.TO JUDGE

bp

A.K.JAYASANKARAN NAMBIAR, J.
=====

W.P.(C). No. 30183 of 2015
=====

Dated this the 21st day of October, 2015

JUDGMENT

The grievance of the petitioners in the writ petition is essentially against the inaction on the part of the respondents in rehabilitating them, pursuant to an acquisition proceedings that took place in 1973. I find that the attempt of the petitioner is to revive a stale matter since the acquisition proceedings were in 1973 and the claim by the petitioners is preferred in 2015. I see no reason to entertain the present writ petition under Article 226 of the Constitution of India. Resultantly, the writ petition fails and is accordingly, dismissed.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE