

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

WP(C).No. 30467 of 2015 (G)

PETITIONER :

K.S.ABDUL VAHAB,
S/O.SULTHAN MOIDEEN, THOUFEEQ MANZIL,
MANNAM P.O., NORTH PARAVUR, ERNAKULAM DISTRICT.

BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.

RESPONDENT(S):

1. ASSISTANT EXECUTIVE ENGINEER,
PWD, ROADS SUB DIVISION, NORTH PARUR,
ERNAKULAM DISTRICT - 683 513.
2. NORTH PARUR MUNICIPALITY,
NORTH PARUR,
REPRESENTED BY ITS SECRETARY, PIN - 683 513.
3. THE TAHSILDAR,
NORTH PARUR, ERNAKULAM DISTRICT - 683 513.

***ADDL.R4 IMPEADED**

*Addl.R4. DISTRICT COLLECTOR,
ERNAKULAM.

*IS SUO MOTU IMPEADED AS ADDL.R4TH RESPONDENT AS PER JUDGMENT
DATED 07.10.2015.

R1, R3 & ADDL.R4 BY GOVERNMENT PLEADER SMT.C.K.SHERIN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

sts

WP(C).No. 30467 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P-1: TRUE PHOTOGRAPHS OF THE RAIN TREE (VAGA) AFTER CUTTING OF
 THE TRUNKS OF THE TREE.**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 30467 of 2015

Dated this the 07th day of October, 2015

JUDGMENT

The learned counsel for the petitioner submits that the Public Works Department is attempting to cut and remove a tree standing near his house.

2. He also submits that Public Works Department has no power to cut and remove the tree and it does not cause any threat to the life of the human.

3. This Court is of the view that the District Collector has to take a decision in the matter after hearing the petitioner and the Public Works Department Officials. Therefore, without obtaining orders from the District Collector, the Public Works Department shall not cut and remove the trees. The District Collector also find out whether the trees proposed to be cut would cause any threat to the life of the human or it is required to be cut for widening any road. An appropriate decision shall

be taken by the District Collector within one month. The District Collector, Ernakulam is, therefore, suo motu impleaded as an additional 4th respondent.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE,
JUDGE

bpr