

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

WP(C).No. 30578 of 2015 (V)

PETITIONERS :

1. LEKSHMY RAM, AGED 35 YEARS,
D/O. GIRIJA KUMARI, RESIDING AT HARE KRISHNA,
PTPA - 52A, PIPE LINE ROAD, P.T.P NAGAR,
VATTIYOORKAVU, THIRUVANANTHAPURAM.
2. UDAYA KUMAR K.B., SECRETARY,
ANAND LANE RESIDENT'S ASSOCIATION,
ANANAD LANE, P.T.P NAGAR, VATTIYOORKAVU,
THIRUVANANTHAPURAM.
3. GIRISH KUMAR K.B.,
SOCIAL WORKER, S/O. KRISHNAN ACHARI, ARA - 43
ANAND LANE, P.T.P NAGAR, VATTIYOORKAVU,
THIRUVANANTHAPURAM.

BY ADV. SRI.T.K.ANANDA KRISHNAN

RESPONDENTS :

1. DISTRICT COLLECTOR, THIRUVANANTHAPURAM DISTRICT
CIVIL STATION, KUDAPPANAKUNNU, THIRUVANANTHAPURAM.
2. THE REVENUE DIVISIONAL OFFICER (THE SUB -COLLECTOR)
THIRUVANANTHAPURAM DISTRICT, CIVIL STATION,
KUDAPPANAKUNNU, THIRUVANANTHAPURAM.
3. THE TAHASILDAR, THIRUVANANTHAPURAM TALUK,
TALUK OFFICE, EAST FORT, THIRUVANANTHAPURAM-695001.
4. SMT. SUNITH, W/O. TOBY SALINS, TC 6/1362, PIPELINE ROAD,
VATTIYOORKAVU, THIRUVANANTHAPURAM - 695013.
5. KARTHIKA R., W/O. ANOOP, T.C. 6/1332, FOREST ROAD,
VATTIYOORKAVU, THIRUVANANTHAPURAM - 695013.

R1 TO R3 BY GOVERNMENT PLEADER SRI. BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONERS TO THE 2ND RESPONDENT.
- P2: TRUE COPY OF THE REPORT OF THE VILLAGE OFFICER VATTIYOORKAVU.
- P3: TRUE COPY OF THE INFORMATION RECEIVED FROM THE KERALA WATER AUTHORITY.
- P4: TRUE COPY OF THE INFORMATION RECEIVED FROM THE KERALA FOREST DEPARTMENT.
- P5: TRUE COPY OF ORDER DT. 24.2.2015 ISSUED BY THE 2ND RESPONDENT.
- P6: TRUE COPY OF THE PETITION SUBMITTED TO THE 3RD RESPONDENT.
- P7: TRUE COPY OF THE PETITION SUBMITTED TO THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 30578 of 2015

Dated this the 08th day of October, 2015

JUDGMENT

The petitioners approached the District Collector alleging that the party respondents have encroached upon public pathway.

2. The learned counsel for the petitioners submit that an enquiry has been conducted by the Village Officer as directed by the District Collector and found that the party respondents have encroached upon public pathway. He also submits that no action has been taken by the District Collector so far.

3. This Court is of the view that the District Collector shall ensure that actions are initiated under the Kerala Land Conservancy Act to evict the illegal encroachers from the public pathway referred in Ext.P2 report of the Village Officer, after issuing necessary

notice to the parties concerned. Needful shall be done within a period of two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-

**A. MUHAMED MUSTAQUE,
JUDGE**

bpr