

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937

WP(C).No. 32330 of 2015 (M)

PETITIONER(S):

- 1. BABY N.V., AGED 64 YEARS,
S/O.SIMON VARGHESE, PERICKAMATTATHIL HOUSE,
EZHAKARANADU SOUTH P.O., PUTHENCruz,
ERNAKULAM DISTRICT- 682 308.**
- 2. DARLEY BABY, AGED 59 YEARS, W/O.BABY N.V.,
PERICKAMATTATHIL HOUSE, EZHAKARANADU SOUTH.**

**BY ADVS.SRI.ANIL GEORGE,
SRI.JOBY JACOB PULICKEKUDY,
SRI.K.S.SUMEESH.**

RESPONDENT(S):

- 1. THE SUPERINTENDING ENGINEER,
ROADS & BRIDGES, CENTRAL CIRCLE, ALUVA-683 101.**
- 2. EXECUTIVE ENGINEER,
PWD ROADS & BRIDGES, MUVATTUPUZHA-686 673.**
- 3. THE SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 4. THE MANEED GRAMA PANCHAYAT,
MANEED P.O., ERNAKULAM DISTRICT,
REP. BY ITS SECRETARY, PIN-686 664.**
- 5. O.P. PATHROSE & COMPANY,
REPRESENTED BY ITS MANAGING DIRECTOR,
NIBU PETER (PATHROSE), KOLENCHERRY P.O.,
KOLENCHERRY, PIN-682 311.**

**R1 TO R3 BY GOVT. PLEADER SRI.MANOJ KUNJACHAN.
R4 BY ADV. SRI.SUNU P.JOHN.
R5 BY ADV. SRI.SAJEEV KUMAR K.GOPAL.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 23-11-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- P1- TRUE PHOTOCOPY OF THE LAND TAX RECEIPT OF THE 1ST AND 2ND PETITIONERS.
- P2- TRUE PHOTOCOPY OF THE TENDER AWARDED TOT HE 5TH RESPONDENT.
- P3- TRUE PHOTOCOPY OF THE ORDER PASSED BY THE 3RD RESPONDENT DATED 24.02.2015.
- P4- TRUE PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS TO THE SUB INSPECTOR OF POLICE, RAMAMANGALAM DATED 19.12.2014.
- P5- TRUE PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER DATED 05.10.2015.

RESPONDENT'S EXHIBITS:- **NIL.**

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 32330 of 2015

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Dated this the 23rd day of November, 2015

J U D G M E N T

The petitioners are residing on the side of Anamunthi-Meempara Road. The Panchayat had forwarded a proposal for widening the road and the petitioners informed that they are willing to surrender the land for widening the road on free of cost. The petitioners compound wall is demolished for the widening of the road.

2. The petitioners approached the authority for reconstructing the compound wall.

3. The petitioners submit that in the light of Ext.P3 Government Order in the event compound wall is demolished, they are entitled for reconstruction at the expenses of the State.

4. This Court is of the view that the petitioners request in this regard made as per Ext.P5 before the first respondent shall be considered by the first respondent after hearing the

petitioners as well as the 4th respondent Panchayat and appropriate decision in this regard shall be taken within two months from the date of receipt of the copy of this judgment.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE