

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

WP(C).No. 33314 of 2015 (L)

PETITIONER(S):

**'JANASHAKTHI',
REG. NO. 5/26701/94, NEW DELHI, REP. BY MR. M. L. AUGUSTHY,
SECRETARY, JANASHAKTHI , KERALA STATE COMMITTEE,
RESIDING AT MAMPAL HOUSE, KALTHOTTY P. O.,
IDUKKI DISTRICT, PIN 685 507.**

BY ADV. SRI.A.B.JALEEL

RESPONDENT(S):

- 1. VODAFONE ESSAR CELLULAR LTD.,
DL 5115, ASHIS BUILDING, SHANMUGHAM ROAD,
KOCHI 682 031 BY ITS DGM LEGAL.**
- 2. THE REVENUE DIVISIONAL OFFICER,
REVENUE DIVISIONAL OFFICE, IDUKKI DISTRICT, PIN 685 603.**
- 3. THE TAHSILDAR,
THODUPUZHA, IDUKKI DISTRICT 685 603.**
- 4. MATHAI KURIAKOSE,
CHEMBAKATHINAL HOUSE, VANNAPURAM P. O.,
IDUKKI DISTRICT 685 582.**
- 5. STATE OF KERALA,
REP. BY ITS SECRETARY, REVENUE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM 695 001.**

R2, R3 & WWW R5 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 33314 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

P1:-TRUE COPY OF THE ORDER HAVING NO B2-1844/11 DTD 24/6/2011.

P2:-TRUE COPY OF THE ORDER OF DISTRICT COLLECTOR, IDUKKI.

**P3:-TRUE COPY OF THE ORDER OF COMMISSIONER OF LAND REVENUE IN REVISION
DTD 8/6/2012.**

P4:-TRUE COPY OF THE JUDGMENT IN WPC NO 609/2015 DTD 8/1/2015.

P5:-TRUE COPY OF THE ORDER PASSED BY THE 2ND RESPONDENT

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Ms v/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.33314 of 2015

Dated this the 3rd day of November, 2015

JUDGMENT

The petitioner has approached this Court alleging illegal construction of mobile tower in the Government land by the first respondent. The petitioner points out to Ext.P5 order of the Revenue Divisional Officer, Idukki. This was issued pursuant to the directions of this Court in W.P.(C) No.609/2015. The Revenue Divisional Officer found that the construction is illegal and liable to be removed.

This Court is of the view that Ext.P5 shall be implemented unless the same is interdicted by the order of the competent court or higher authority. Needful shall be done within three weeks from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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