

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No.34201 of 2014 (A)

PETITIONER:

**KERALA VYAPARI VYAVASAYI EKOPANA SAMITHI,
VAZHAKKALA,THRIKKAKARA,KOCHI-682021,
KIZHIPILLIL HOUSE,CHEMBUMUKKU,KAKKANAD,
KOCHI-682021.**

BY ADV. SRI.P.P.RAJESH

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF LOCAL SELF GOVERNMENT,
GOVERNMENT SECRETARIAT,THIRUVANANTHAPURAM.**
- 2. THRIKKAKARA MUNICIPALITY,THRIKKAKARA,
REPRESENTED BY ITS SECRETARY-682021.**
- 3. THE REGIONAL TRANSPORT AUTHORITY,
ERNAKULAM DISTRICT,KAKKANAD-682030.**
- 4. DEPUTY COMMISSIONER OF POLICE,
THRIKKAKARA,KOCHI-682021.**
- 5. SUB INSPECTOR OF POLICE,
THRIKKAKARA POLICE STATION,
KOCHI-682021.**
- 6. AUTO RICKSHAW THOZHILALI UNION INTUC,
VAZHAKKALA,REPRESENTED BY ITS SECRETARY
N.A.MAHINKUTTY,MAMBILLIPADATH HOUSE,
KUNNEPARAMBU,VAZHAKKALA,
THRIKKAKARA P.O.,KOCHI-682021.**
- 7. AUTO RICKSHAW THOZHILALI UNION CITU,
VAZHAKKALA,REPRESENTED BY ITS SECRETARY
K.M.NAJEEB,KAMBIVELIKKAKAM HOUSE,
PADAMUKAL,KAKKANAD WEST P.O.
KOCHI-682030.**

**R1 TO R5 BY GOVT. PLEADER SMT.SANGEETHA K.A.
R6 & R7 BY SRI.S.SHANAVAS KHAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No.34201 of 2014 (A)

APPENDIX

PETITIONER'S EXHIBITS:

**EXHIBIT-P1:PHOTOGRAPH SHOWING THE UNAUTHORIZED PARKING IN FRONT
OF THE OFFICE OF THE PETITIONER AT VAZHAKKALA.**

**EXHIBIT-P1(a): PHOTOGRAPH SHOWING THE UNAUTHORIZED PARKING IN
FRONT OF THE SHOPS AND ESTABLISHMENTS AT VAZHAKKALA.**

**EXHIBIT-P2:TRUE COPY OF THE JUDGMENT DATED 8/4/2013 PASSED BY THIS
HON'BLE COURT IN WP(C) NOS.18168, 18260, 19452, 33149,
34951/2011 AND 1615 & 4072/2012.**

**EXHIBIT-P3:TRUE COPY OF THE REPRESENTATION PREFERRED BY PETITIONER
AND SENT BY REGISTERED POST OF THE 3RD RESPONDENT ON
18/2/2014.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COP[Y//

P.S. TO JUDGE

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DAMA SESHADRI NAIDU, J.

W.P.(c) No. 34201 of 2014

Dated this the 07th day of January, 2015

JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader, as well as the learned counsel for the respondents, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. Briefly stated, the petitioner, an association of business establishments situated in Vazhakala area, has a grievance that the members belonging to respondents 6 and 7, Auto rickshaw unions, have been unauthorizedly parking their Auto rickshaws before the business establishments of the petitioner Samithi, thereby causing a lot of inconvenience and hardship not only to the members of the petitioner Samithi, but also to the general public. In that regard, the petitioner is said to have made Exhibit P3 representation dated 18.02.2014 before the third respondent. Seeking its expeditious disposal, the petitioner has filed the present writ petition.

3. In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioner and the learned Government Pleader, as well as the learned Counsel for the respondents, without expressing any opinion on the merits of the matter, this Court disposes of the present writ petition with a direction to the third respondent to consider Exhibit P3 representation of the petitioner in accordance with law, and pass appropriate orders thereon as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment.

With the above observation, this writ petition is disposed of.

DAMA SESHADRI NAIDU
JUDGE

DMR/-