

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937

WP(C).No. 34520 of 2014 (L)

PETITIONER:

**K.A.ABDUL KAREEM, PWD CONTRACTOR,
RESIDING AT ALISHA MANZIL, KIZHAKKEKARA,
TRIKKAKARA POST, ERNAKULAM-682021.**

BY ADV. SRI.C.K.SREEJITH

RESPONDENT(S):

- 1. CORPORATION OF COCHIN,
REPRESENTED BY SECRETARY,
CORPORATION OF COCHIN, ERNAKULAM-682035.**
- 2. COCHIN CORPORATION COUNCIL,
REPRESENTED BY ITS MAYER,
CORPORATION OF COCHIN, ERNAKULAM-682035.**
- 3. THE SUPERINTENDENT, PWD WORKS DEPARTMENT,
CORPORATION OF COCHIN, ERNAKULAM-682035.**
- 4. ASSISTANT ENGINEER, COCHIN CORPORATION,
VYTTLA ZONE, ZONAL OFFICE AT VYTTLA,
ERNAKULAM-682019.**
- 5. ASSISTANT ENGINEER, COCHIN CORPORATION ,
EDAPPALLY ZONE, ZONAL OFFICE AT EDAPPALLY,
ERNAKULAM-682024.**

**BY SRI.P.K.SOYUZ,SC
BY ADV. SRI.PRAVEEN K. JOY,SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 31-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 34520 of 2014 (L)

APPENDIX

PETITIONER(S)' EXHIBITS:

- P1:- THE TRUE COPY OF THE WORK ORDER NOTICE AND SCHEDULE TO ACCOMPANYING AGREEMENT DTD 14/8/2012 IUSSUED BY THE CORPORATION OF COCHIN.,**
- P2:- THE TRUE COPY OF THE INTERIM ORDER PASSED IN WPC NO 19866/2014 ON THE FILE OF HON'BLE HIGH COURT.**
- P3:- THE TRUE COPY OF THE PRIORITY LIST ALLEGEDLY RENEWED UPTO 30/11/2014.**
- P4:- THE TRUE COPY OF THE REPRESENTATION SUBMITTED TO THE RESPONDENTS.**

RESPONDENT(S)' EXHIBITS:

- NIL

/TRUE COPY/

P.A. TO JUDGE

mbr/

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 34520 of 2014

Dated this the 31st day of March, 2015

JUDGMENT

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent Corporation, 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. The petitioner, a contractor, is said to have completed several works for the respondent Corporation, which, in fact, has prepared a priority list of contractors to be paid on account of the completion of the civil works assigned to them. Exhibit P3 is the priority list.

3. The grievance of the petitioner is that two of the works have not been included in Exhibit P3, despite the petitioner's completing them to the satisfaction of the respondent Corporation. In that regard, the petitioner is said to have submitted Exhibit P4 representation, which has not been considered so far. Complaining of delay on that

count, the petitioner has filed the present writ petition.

4. The learned Standing Counsel for the respondent Corporation has submitted that, the respondent Corporation is willing to consider Exhibit P4 on merits and take an appropriate decision in that regard.

5. In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioner and the learned Standing Counsel for the respondent Corporation, this Court, without adverting to the merits of the matter, disposes of the present writ petition with a direction to the respondent Corporation to consider Exhibit P4 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 observations, this writ petition is disposed of. No order as to costs.

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-