

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN

THURSDAY, THE 17TH DAY OF DECEMBER 2015/26TH AGRAHAYANA, 1937

WP(C).No. 38344 of 2015 (S)

PETITIONER(S):

VINODAN K.K
S/O BHASKARAN, KUNNATHAMKUZHI (H), IRINGAL (P.O)
KOYILANDY TALUK, KOZHIKODE DISTRICT.

BY ADV. SRI.MOHANAN V.T.K.

RESPONDENT(S):

1. CHIEF EXECUTIVE OFFICER
SARGALAYA-CRAFT VILLAGE, IRINGAL (P.O)
KOZHIKODE DISTRICT-673035.
2. SECRETARY TO GOVERNMENT
DEPARTMENT OF TOURISM, GOVERNMENT OF KERALA
SECRETARIAT, THIRUVANANTHAPURAM-695001.
3. THE DISTRICT COLLECTOR
KOZHIKODE-673016.
4. THE EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT (ROADS), KOYILANDY
SUB DIVISION-673020.
5. THE CIRCLE INSPECTOR OF POLICE
PAYYOLI POLICE STATION-673036.

BY SR. GOVERNMENT PLEADER SRI. P.I. DAVIS

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 38344 of 2015 (S)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE PHOTOGRAPH SHOWING VEHICLES BEING STATIONED AT ONE SIDE OF THE ROAD FOR THE PASSAGE OF VEHICLES FROM THE OTHER SIDE.

EXHIBIT P2: TRUE PHOTOGRAPH SHOWING THE ROAD LEADING TO SARGALAYA.

EXHIBIT P3: TRUE PHOTOGRAPH SHOWING THE RAILWAY LEVEL CROSS.

EXHIBIT P4: TRUE PHOTOGRAPH SHOWING THE ENTRY TO CRAFT.

RESPONDENT(S)' EXHIBITS

NIL

// TRUE COPY //

P.A. TO JUDGE

sou.

ASHOK BHUSHAN, CJ & K. RAMAKRISHNAN., J

W.P(C). No. 38344 of 2015

Dated this the 17th day of December, 2015

JUDGMENT

Ashok Bhushan, CJ.

Heard learned counsel for the petitioner and the learned Government Pleader.

2. This writ petition has been filed as public interest litigation praying for the following reliefs :

- “i) A writ of mandamus or any other appropriate writ, order or direction, directing the respondents to establish proper road and traffic and parking facilities for 'Sargalaya';
- ii) A writ of mandamus or any other appropriate writ , order or direction directing the respondents to take proper and smooth traffic system avoiding traffic blockade during public function in 'Sargalaya' leading to the National Highway.”

3. Petitioner claims that Tourism Department has started an institution called 'Craft Village' known as 'Sargalaya'. Handicraft products are produced in the Craft Village and that are exported. There is an annual festival known as 'Sargotsavam' celebrated for weeks in which there are exhibitions and amusement parks in the area. The grievance raised by the petitioner is that there is road traffic congestions and traffic blockade in the area which create great suffocation to the pedestrians. It is submitted that the traffic blockade leads even to the National Highway and the National Highway

is blocked for many hours. Hence the petitioner filed this petition seeking directions as prayed for.

4. The issues raised in the writ petition pertains to a particular place known as 'Sargalaya', which is a craft village. For managing the traffic and other congestions, it is the duty of the District Administration and Traffic Police to take appropriate measures to ease the situation, if there is any traffic congestion and traffic blockade.

5. We are of the view that the said issue cannot be entertained in a public interest litigation nor this Court can monitor the issue raised by this public interest litigation. We only observe that it is open for the petitioner or any other affected person to bring into notice of the District Administration if there is any unsurmountable traffic congestion and problems.

Sd/-
ASHOK BHUSHAN,
CHIEF JUSTICE

Sd/-
K. RAMAKRISHNAN
JUDGE