

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

WP(C).No. 39278 of 2015 (H)

PETITIONER:

**SURESH KUMAR, S/O. RAJAYYAN,
AGED 30 YEARS, 'THIRUVATHIRA BHAVAN',
MEKATHIL VEEDU, NOCHIYOOR,
CHENKAL P.O., NEYYATTINKARA TALUK.**

BY ADV. SRI.G.SUDHEER.

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM -695 001.**
- 2. THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM DISTRICT-695 001.**
- 3. THE TAHSILDAR,
TALUK OFFICE, NEYYATTINKARA-195 121.**
- 4. THE VILLAGE OFFICER,
CHENKAL VILLAGE, NEYYATTINKARA-695 121.**
- 5. DEPUTY SUPERINTENDENT OF POLICE,
NEYYATTINKARA-695 121.**
- 6. CIRCLE INSPECTOR OF POLICE,
PARASSALA CIRCLE, PARASSALA-695 132.**
- 7. SUB INSPECTOR OF POLICE,
PARASSALA POLICE STATION, PIN-695 132.**
- 8. THE GEOLOGIST, DISTRICT OFFICE,
KERALA STATE DEPARTMENT OF MINING & GEOLOGY,
THIRUVANANTHAPURAM-695 001.**

9. CHENKAL GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY,
PANCHAYAT OFFICE, UDIYANKULANGARA,
AMARAVILA P.O., NEYYATTINKARA-695 121.
10. VIJAYAN, S/O.KESAVAN NADAR,
KARAVAKUZH, NICHIOOR, CHENKAL P.O.,
NEYYATTINKARA TALUK, PIN-695 121.
11. ABHILASH, S/O.VIJAYAN, KARAVAKUZH,
NOCHIOOR, CHENKAL P.O.,
NEYYATTINKARA TALUK, PIN-695 121.
12. JAYAKUMAR, APPOPPANKADAVAN,
NOCHIOOR, CHENKAL P.O., NEYYATTINKARA-695 121.
13. AMBI, NOCHIOOR, CHENKAL P.O.,
NEYYATTINKARA-695 121.
14. SHIBU, S/O.SUMANGALA, PLAVILAMOOLA,
NOCHIOOR, CHENKAL P.O., NEYYATTINKARA-695 121.
15. JOHNY, S/O.CHELLAN NADAR,
POONTHOTTAM, CHENKAL P.O.,
NEYYATTINKARA-695 121.
16. VIJAYAN, S/O.PONNUMUTHAN NADAR,
CHENKAL P.O., NEYYATTINKARA-695 121.
17. THANKAPPAN, CHENKAL P.O.,
NEYYATTINKARA-695 121.
18. VARGHESE, S/O.CHELLAYYAN,
MADATHUVILA, CHENKAL P.O.,
NEYYATTINKARA-695 121.

R1 TO R8 BY GOVT. PLEADER SRI.BIJU MEENATTOOR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

**P1:- TRUE COPY OF THE PAPER REPORT PUBLISHED IN MATHRUBHOOMI DAILY
DTD. 01/12/2015.**

**P1(A):- TRUE COPY OF THE PAPER REPORT PUBLISHED IN MATHRUBHOOMI DAILY
DTD. 02/12/2015.**

**P2:- TRUE COPY OF THE PETITION SUBMITTED BY THE PETITIONER BEFORE
THE 2ND RESPONDENT.**

**P2(A):- TRUE COPY OF THE PETITION SUBMITTED BY THE PETITIONER BEFORE
THE 8TH RESPONDENT.**

**P3:- TRUE COPY OF THE REPORT OF THE 4TH RESPONDENT VILLAGE OFFICER,
CHENKAL DTD. 05/12/2015.**

**P4:- TRUE COPY OF THE STOP MEMO ISSUED BY THE 3RD RESPONDENT TO
THE RESPONDENTS 10 TO 18.**

**P5:- TRUE COPY OF THE LETTER B 47245/15 DTD. 10/12/2015 SENT BY THE
TAHSILDAR TO THE DEPUTY SUPERINTENDENT OF POLICE,
NEYATTINKARA.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No.39278 of 2015

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Dated this the 22nd day of December, 2015

J U D G M E N T

The petitioner alleges that the respondents 10 to 18 are illegally excavating and removing earth from the river bank of Neyyar. The petitioner refers to Ext.P4, prohibitory order of the Tahsildar and Ext.P5, communication of Tahsildar to the Deputy Superintendent of Police.

2. This Court is of the view that in the light of Exts.P4 and P5, unless the same is interdicted by any competent Court or authority, the 5th respondent shall take necessary steps to enforce Exts.P4 and P5 with immediate effect.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE

