IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE SMT. JUSTICE P.V.ASHA

WEDNESDAY, THE 02ND DAY OF DECEMBER 2020 / 11TH AGRAHAYANA, 1942

WP(C).No.26723 OF 2020(M)

PETITIONER:

C.V.ISSAC,
AGED 58 YEARS,
S/O VARGHESE, CHERUTHOTTIL HOUSE, THAMMANIMATAM,
RAMAMANGALAM (P.O), ERNAKULAM.

BY ADVS.
SRI.SAIJO HASSAN
SRI.BENOJ C AUGUSTIN
SRI.RAFEEK. V.K.
SRI.U.M.HASSAN
SMT.P.PARVATHY
SMT.SURYA P SHAJI
SHRI.MANAS P HAMEED
SMT.AATHIRA SUNNY

RESPONDENTS:

1 **STATE OF KERALA,**
REPRESENTED BY ITS SECRETARY,
LOCAL SELF GOVERNMENT DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695001.

2 **SUPERINTENDING ENGINEER,**
MINOR IRRIGATION CIRCLE, KAVERI HOUSE,
WEST HILL P.O, KOZHIKODE-673005.

3 **THE ASSISTANT EXECUTIVE ENGINEER,**
MINOR IRRIGATION DIVISION,
NILAMBUR MALAPPURAM-679329.

BY ADV. SMT.PRINCY XAVIER, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02.12.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioner claims to be the PWD contractor, who has executed Ext.P1 agreement on the basis of a work awarded to him on 12.11.2018 for 'Rehabilitation of LI Schemes- Replacing the delivery line of Muppini LI Scheme in Chungathara Grama Panchayath, Malappuram District'.

2. It is seen that several extension have been granted to petitioner, the last one being Ext.P6 dated 06.10.2020 by which he has been granted time up to 30.12.2020 with a penalty of payment of fine. Petitioner claims that he submitted Ext.P7 representation before the Superintending Engineer on 04.11.2020.

Though the learned Government Pleader seriously opposed the prayer sought in this writ petition, the writ petition is disposed

of with a direction to the 2nd respondent to consider the representation Ext.P7, in case it is already received (It is stated to have been submitted on 04.11.2020) within a period of two weeks, from the date of receipt of a copy of the judgment.

Sd/-

P.V.ASHA
JUDGE

ww

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1	TRUE COPY OF ORDER NO.DB2-2018/1027/IA DATED 12.11.2018 ALONG WITH AGREEMENT NO. SE(M.I) 47/2018-19 DATED 12.11.2018.
EXHIBIT P2	TRUE COPY OF LETTER DATED 29/08/2019 ALONG WITH THE REVISED ESTIMATE REPORT SUBMITTED BY THE 3RD RESPONDENT.
EXHIBIT P3	TRUE COPY OF THE ORDER NO.DB2-2018/1027/IA DATED 14.11.2019 ISSUED BY THE 2ND RESPONDENT.
EXHIBIT P4	TRUE COPY OF THE ORDER NO.DB2-2018/1027/IA DATED 28.01.2020 ISSUED BY THE 2ND RESPONDENT ALONG WITH SUPPLEMENTAL AGREEMENT DATED 28.01.2020.
EXHIBIT P5	TRUE COPY OF THE MEDICAL CERTIFICATE DATED 03.06.2020 ISSUED BY MEDICAL COLLEGE HOSPITAL, MALANKARA ORTHODOX SYRIAN CHURCH, KOLENCHERY.
EXHIBIT P6	TRUE COPY OF ORDER NO.DB2-2018/1027/IA DATED 06.10.2020 ISSUED BY THE 2ND RESPONDENT.
EXHIBIT P7	TRUE COPY OF REPRESENTATION DATED 04.11.2020 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.