

Jeevan P.V. vs the State of Kerala

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Court : Kerala

Decided On : Apr-04-2024

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : WP(C)/4981/2012

Appellant : Jeevan P.V.

Respondent : The State of Kerala

Judgement :

WP(C) NO. 4981 OF 2012 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
THURSDAY, THE 4TH DAY OF APRIL 2024 / 15TH CHAITHRA, 1946
WP(C) NO. 4981 OF 2012 PETITIONER/S: 1 JEEVAN P.V. AGED 32
YEARS AGED 32, S/O. VELAYUDHAN, PADINJARUDAN HOUSE,
PADI.P.O, KODALI, VELLIKULANGARA VILLAGE, MUKUNDAPURAM
TALUK, THRISSUR DISTRICT. 2 THANKACHAN JOSE AGED 48 S/O.
THANKACHAN JOSE, MUTHALAKUZHIYIL HOUSE,
CHATTIKULAM.P.O, KODASSERY VILLAGE, MUKUNDAPURAM
VILLAGE, PIN - 680 721. 3 K.P. THOMAS AGED 53, S/O. POULOSE,

KANNAMPILLY HOUSE, NALUKETTU.P.O, NALUKETTU, KORATTY, KORATTY VILLAGE, MUKUNDAPURAM TALUK. 4 RAJAN CHALISSERY KATTOOKKARAN, CHALAKUDY, KIZHAKE CHALAKUDY VILLAGE. 5 THAMPI VARGHESE AGED 35, S/O. VARGHESE, CHIRAYATH HOUSE, CHALAKUDY HOSPITAL ROAD, KIZHAKKE CHALAKUDY VILLAGE, THRISSUR DISTRICT.

6 N.A. VIJAYAN S/O.N.K. ABU, NEDIYAMBATH HOUSE, POTTA, POTTA VILLAGE, THRISSUR DISTRICT. 7 C.S. KUNARU WP(C) NO. 4981 OF 2012 2 CHOLAN HOUSE, CHERUVALLOOR, KALLUR THEKKUMURI VILLAGE, MUKUNDAPURAM TALUK, THRISSUR DISTRICT. BY ADVS. SRI.G.SREEKUMAR (CHELUR) SMT.PREETHY KARUNAKARAN SRI.K.RAVI PARIYARATH RESPONDENT/S: 1 THE STATE OF KERALA REP. BY THE SECRETARY TO THE GOVERNMENT, LOCAL SELF GOVERNMENT DEPARTMENT, GOVT. SECRETARIAT, THIRUVANANTHAPURAM - 695 001.

2 THE CHALAKUDY MUNICIPALITY REP. BY ITS SECRETARY, CHALAKUDY.P.O, THRISSUR DISTRICT - 680 001. 3 THE NATIONAL HIGHWAY AUTHORITY OF INDIA REPRESENTED BY ITS PROJECT OFFICER, THRISSUR - 680 001. 4 THE SPECIAL TAHSILDAR L.A N.H.D.P UNIT-2, THRISSUR. BY ADVS. SRI.M.P.ASHOK KUMAR E.C.KURIAKOSE-R3 M.P.ASHOK KUMAR-R2 OTHER PRESENT: SRI.RIYAL DEVASSY, GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04.04.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C) NO. 4981 OF 2012
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P.V.KUNHIKRISHNAN, J ----- W.P.(C.) No. 4981 of 2012 ----- Dated this the 4th day of April, 2024

JUDGMENT

The above writ petition is filed with following prayers : i) Call for the records leading to P6 and may be pleased to issue a writ of certiorari and the proceedings therewith may be quashed in the interest of justice. AND ii) To pass any such or further orders as the petitioner may seek and this Hon'ble Court deem fit to grant. [sic]

2. The petitioners are challenging Ext.P6. Ext.P6 is an

order passed by the Municipality. The issue is regarding the

widening of the National Highway. No interim order is passed in this case. Probably, the prayers in this writ petition might have been infructuous because it seems that the National Highway widening is already over. If there is any fresh cause of WP(C) NO. 4981 OF 2012 4 action to the petitioners, the same is left open. With the above observation, this writ petition is closed. Sd/- P.V.KUNHIKRISHNAN JUDGE SKS WP(C) NO. 4981 OF 2012 5 APPENDIX PETITIONER'S EXHIBITS : EXT-P1: A TRUE COPY OF THE LEASE DEED DATED 20/7/04 OF THE FIRST PETITIONER AND THE SECOND RESPONDENT. EXT-P2: A TRUE COPY OF THE RECEIPT ISSUED IN THE NAME OF THE FIRST PETITIONER DATED 9/12/2011. EXT-P3: A TRUE COPY OF THE COMMUNICATION OF THE PUBLIC WORKS DEPARTMENT DATED 17/10/2011 GOVERNMENT OF KERALA EXT-P4: A TRUE COPY OF THE NOTICE OF SPECIAL TAHSILDAR DATED 3/12/2011 EXT-P5: A TRUE COPY OF THE PAPER REPORT IN MATHRUBHUMI DAILY DATED 24/1/2012 Ext-P6: A TRUE COPY OF THE COMMUNICATION OF THE SECOND RESPONDENT DATED 24.01.2012. RESPONDENT'S EXHIBITS : NIL

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