

Manoj Stanley vs the Assistant Executive Engineer

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SooperKanoon Citation : sooperkanoon.com/1307593

Court : Kerala

Decided On : Feb-29-2024

Judge : Honourable Mr.Justice Viju Abraham

Appeal No. : WP(C)/4999/2024

Appellant : Manoj Stanley

Respondent : The Assistant Executive Engineer

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE VIJU ABRAHAM
THURSDAY, THE 29TH DAY OF FEBRUARY 2024 / 10TH PHALGUNA,
1945 WP(C) NO. 4999 OF 2024 PETITIONERS: 1 MANOJ STANLEY
AGED 53 YEARS 2 BINOY STANLEY AGED 50 YEARS BY ADVS.
K.R.VINOD M.S.LETHA NABIL KHADER MAZIN IBRAHIM KELWIN
SIMON DEVIKA S. RESPONDENTS: 1 THE ASSISTANT EXECUTIVE
ENGINEER STATION COMPLEX, NORTH PARAVUR, ., PIN - 683513 2
THE ASSISTANT ENGINEER, STATION COMPLEX, NORTH
PARAVUR,, PIN - 683513 OTHER PRESENT: GP - DEEPA V THIS
WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
29.02.2024, THE COURT ON THE SAME DAY DELIVERED THE

FOLLOWING: W.P.(C). No.4999 of 2024 :2:

VIJU ABRAHAM, J.

W.P.(C) No.4999 of 2024 Dated this the 29th day of February, 2024

JUDGMENT

The petitioners have approached this Court seeking a direction to the respondents and the persons claiming under them not to trespass into the landed property of the petitioners having the extent of 4.05 Ares in Sy. No.289/42-1 of Varappuzha Village while constructing drainage on the sides of Manappuram-Kurisumuttam Road.

2. When the matter came up for consideration on 13.02.2024, the

learned Government Pleader sought time to get instructions and this Court has passed an interim order as prayed for. 3.The learned Government Pleader upon instructions submitted that only a site inspection was conducted by the 1 st respondent and no further steps were taken and the said aspect was communicated to the petitioners also. It is also submitted that any further action will be taken only in accordance with law and with a notice to the petitioners. Recording the above said submission, the writ petition is closed. Sd/- VIJU ABRAHAM JUDGE sm/ W.P.(C). No.4999 of 2024 :3: APPENDIX OF WP(C) 4999/2024 PETITIONER EXHIBITS Exhibit P1 THE COPY OF THE LAND TAX PAYMENT RECEIPT

OF THE PROPERTY HAVING THE EXTENT OF 4.05 ARES IN SY.NO.289/42-1 OF VARAPPUZHA VILLAGE DATED 13.11.2023 Exhibit P2 THE COPY OF THE ASSET REGISTER KEPT WITH THE VARAPPUZHA GRAMA PANCHAYATH Exhibit P3 THE COPY OF THE REPRESENTATIONS SUBMITTED BEFORE THE 1 ST RESPONDENT DATED 17.11.2023 Exhibit P4 THE COPY OF THE REPRESENTATIONS SUBMITTED BEFORE THE 2 ND RESPONDENT DATED 17.11.2023