

B.Anilkumar vs State of Kerala

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Court : Kerala

Decided On : Feb-27-2023

Judge : Honourable Mr. Justice Shaji P.Chaly

Appeal No. : WP(C)/877/2023

Appellant : B.Anilkumar

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE SHAJI P.CHALY
MONDAY, THE 27TH DAY OF FEBRUARY 2023 / 8TH PHALGUNA,
1944 WP(C) NO. 877 OF 2023 PETITIONER: B.ANILKUMAR, AGED 54
YEARS, S/O. BHASKARAN NAIR, BINDHU SADAN, VELLOORKONAM,
OORUTTAMBALAM, KUVALASSERY P.O., THIRUVANANTHAPURAM
, PIN - 695 512. BY ADVS. G.SUDHEER R.HARIKRISHNAN (H-308)
SMRITHI S.S. RESPONDENTS: 1 STATE OF KERALA,
REPRESENTED BY ITS PRINCIPAL SECRETARY TO PUBLIC
WORKS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001. 2 THE EXECUTIVE ENGINEER,
PWD ROADS WING, THIRUVANANTHAPURAM - 695 001. 3 THE

ASSISTANT EXECUTIVE ENGINEER, PWD ROADS WING, T.B. JUNCTION, NEYYATTINKARA, THIRUVANANTHAPURAM - 695 121. SMT.DEEPA NARAYANAN.SENIOR GOVERNMENT PLEADER THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27.02.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: :2:

SHAJI P. CHALY, J.

----- W.P.(C).No.877 of 2023
----- Dated this the 27th day of
February, 2023

JUDGMENT

This writ petition is filed by the petitioner seeking the following reliefs:

i) Issue a writ of mandamus or any other appropriate writ order or direction directing the respondents 2 and 3 to regain the filled up waste water channel on the northern side of Ooruttambalam - Moolakonam PWD public road at Velloorkonam as well as the waste water channel on the eastern side of Velloorkonam - Chenivila road at Velloorkonam within a time limit as prescribed by this Honourable Court.

ii) dispense with production of English translation of vernacular documents.

2. According to the petitioner, the waste water channel on the

northern side of the PWD road as well as the eastern side of Velloorkonam - Chenivila road is filled up by the adjacent property owners, consequent to which the entire rain water along with mud and waste materials are flowing into the courtyard of the petitioner, causing severe prejudice and inconveniences to the petitioner. In order to ventilate the grievances, petitioner has submitted Ext.P1 dated 06.12.2022 before the Assistant Executive Engineer, PWD Roads Wing, Neyyattinkara - the 3 rd respondent and he seeks a direction for the consideration

of the same. Therefore, after having heard the learned counsel for the petitioner, Sri. G.Sudheer and the learned Senior Government Pleader, Smt.Deepa :3: Narayanan, the writ petition is disposed of directing the 3 rd respondent to finalize Ext.P1 at the earliest, at any rate within one month from the date of receipt of a copy of this judgment. Sd/- SHAJI P. CHALY, JUDGE ak :4: APPENDIX OF WP(C) 877/2023 PETITIONERS EXHIBITS:- Exhibit P1 COPY OF THE PETITION DATED 6.12.2022 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.

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