

Vinu Koshy Abraham vs Greater Cochin Development Authority (Gcda)

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Court : Kerala Orders

Decided On : Dec-01-2023

Judge : Honourable Mr. Justice Devan Ramachandran

Appeal No. : WP(C)/36835/2023

Appellant : Vinu Koshy Abraham

Respondent : Greater Cochin Development Authority (Gcda)

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN FRIDAY, THE 1ST DAY OF DECEMBER 2023 / 10TH AGRAHAYANA, 1945 PETITIONERS: 1 VINU KOSHY ABRAHAM, AGED 45 YEARS S/O M. K. ABRAHAM, PRESENTLY RESIDING AT 20 TROPHIS STREET, KALKO, VICTORIA 3064, AUSTRALIA, REPRESENTED BY HIS POWER OF ATTORNEY HOLDER M. K. ABRAHAM, AGED 75, S/O. KOSHY VARGHESE 10B4, ABM TOWERS, KADAVANTHARA, ERNAKULAM, PIN - 682020 2 M.K. ABRAHAM, AGED 75 YEARS S/O. M.G. KOSHY, RESIDING AT 10B4, ABM TOWERS, KADAVANTHARA, ERNAKULAM, PIN - 682020 3 M/S ABM BUILDERS PRIVATE LIMITED ABM TOWERS, KADAVANTRA,

ERNAKULAM - 682 020, REPRESENTED BY ITS MANAGING DIRECTOR, SRI. M. K. ABRAHAM, AGED 75, S/O. M.G. KOSHY, RESIDING AT 10B4, ABM TOWERS, KADAVANTHARA, ERNAKULAM, PIN - 682020 P.G.JAYASHANKAR P.K.RESHMA (KALARICKAL) S.RAJEEV (K/001711/2019) SAJANA V.H SHAIJU GEORGE AADERSH R.S. PANICKER NITHIN GEORGE RESPONDENTS: 1 GREATER COCHIN DEVELOPMENT AUTHORITY (GCDA) KADAVANTHARA PO, KOCHI, REPRESENTED BY ITS SECRETARY, PIN - 682020 2 M/S ABM TOWERS RESIDENTS ASSOCIATION ABM TOWERS, KADAVANTHARA P.O., ERNAKULAM, REPRESENTED BY ITS SECRETARY, PIN - 682020 M.PAUL VARGHESE SANTHEEP ANKARATH M.M.MONAYE(K/182/1984) K.V.SANOSH(K/144/2012) ANJANA SUGUNAN(K/003577/2022) P.ANIRUDHAN(K/002306/2021) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01.12.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

After arguing this matter for some time, Sri.P.G.Jayashankar - learned counsel for the petitioners, submitted that his clients seek to withdraw this writ petition; however, praying that this Court leave them liberty to approach the competent Authority, to ensure that there is Fire Access to their premises within the complex. He explained that this is because, on account of the impugned order, if the construction is made in terms of the directives of the GCDA, then there would be no access to the premises for a Fire Engine, and that this would be cataclysmic in future. Taking note of the afore submissions, I allow the petitioners to withdraw this writ petition; however, leaving them full liberty to approach any competent Authority - be that the Corporation or Fire Authority, or any other - with respect to any grievance he may have as regards the fire safety requirements of the building, for which purpose, all contentions are left open. Sd/- DEVAN RAMACHANDRAN
JUDGE stu