

Aniyan Michael vs the Secretary

Aniyan Michael vs the Secretary

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Court : Kerala

Decided On : Apr-05-2022

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : WP(C)/1513/2021

Appellant : Aniyan Michael

Respondent : The Secretary

Judgement :

W.P.(C.) Nos. 17673/2020 and conn.cases 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
TUESDAY, THE 5TH DAY OF APRIL 2022 / 15TH CHAITHRA, 1944
WP(C) NO. 17673 OF 2020 PETITIONER/S: 1 C.A.SEBASTIAN AGED
66 YEARS S/O. ANTONY, HIFI ELECTRICAL, SHOP ROOM O. 24/350
AND 351, KOTTAPURAM, KODUNGALLUR 680 667. 2 A.C. GEORGE,
AGED 67 YEARS S/O. CHEEKU, PROVISION STORES, SHOP ROOM
24/358, KOTTAPURAM, KODUNGALLUR 680 667. 3 K.G. JOSEPH,
AGED 70 YEARS SHOP ROOM NO. 24/354, RETAIL RATION
DISTRIBUTION NO. 19, KOTTAPURAM, KODUNGALLUR 680 667. 4
SAKEER HUSSAIN, AGED 42 YEARS S/O. HUSSAIN, SAJANA

STORES, SHOP ROOM NO. 24/370 AND 371, KOTTAPURAM, KODUNGALLUR 680 667. 5 K.C. MICHAEL, AGED 53 YEARS S/O. CHEEKU, SHOP ROOM NO. 24/361, KOTTAPURAM, KODUNGALLUR 680 667. 6 K.P. RUDRAN, AGED 70 YEARS S/O. PAPU, TAILORING SHOP, SHOP ROOM NO. 24/353, KOTTAPURAM, KODUNGALLUR 680 667. 7 K.P. KARTHIKEYAN, AGED 60 YEARS S/O. PAPU, W.P.(C.) Nos. 17673/2020 and conn.cases 2 TEA STALL, SHOP ROOM BO. 24/352, KOTTAPURAM, KODUNGALLUR 680 667. 8 SADANANDAN, AGED 76 YEARS S/O. GOPALAN, SHOP ROOM NO. 24/359 AND 360, CATTLE FEED BUSINESS, KOTTAPURAM, KODUNGALLUR 680 667. 9 SMT. VALSALA, AGED 52 YEARS W/O. RAJAGOPAL, SHOP ROOM NO. 24/368, KOTTAPURAM, KODUNGALLUR 680 667. 10 RAJA NARAYANAN, AGED 48 YEARS S/O. VISWAMBARAN VAIDYAR, BRIYANI KADA, SHOP ROOM NO. 24/367, KOTTAPURAM, KODUNGALLUR 680 667. BY ADVS. S.R.DAYANANDA PRABHU SHRI.ASWIN PRABHU S.D. RESPONDENT/S: 1 THE ASSISTANT ENGINEER ELECTRICAL SECTION KODUNGALLUR NO.1, KERALA STATE ELECTRICITY BOARD, KODUNGALLUR 680 664. 2 KODUNGALLUR MUNICIPALITY, REPRESENTED BY ITS SECRETARY, MUNICIPAL OFFICE, KODUNGALLUR 680 664. 3 MUZIRIS PROJECTS LTD, (DEPARTMENT OF TOURISM), REP BY ITS MANAGING DIRECTOR, E.M. NOWSHAD, PULLUT, KODUNGALLUR 680 664.

4 ANIYAN MICHAEL, AGED 49 YEARS S/O. MICHAEL, KOTTAPURAM,, W.P.(C.) Nos. 17673/2020 and conn.cases 3 KODUNGALLUR 680 664. 5 SMT. NISHA ANIYAN, AGED 37 YEARS W/O. ANIYAN MICHAEL, KOTTAPPURAM, KODUNGALLUR 680 664. 6 ADDL.R6: THE EXECUTIVE ENGINEER, PWD (BUILDING DIVISION), THRISSUR (IS SUO MOTU IMPEADED AS PER ORDER DATED 23-03-2022) BY ADVS. SRI.K.A.NOUSHAD SRI.K.DHRUV KUMAR, R3 M.RAMESH CHANDER (SR.) - R5 SRI.K.A.SALIL NARAYANAN - R5 SRI.T.N.MANOJ OTHER PRESENT: SRI.A.ARUNKUMAR, SC (KSEB), SMT.VIDYA KURIAKOSE, GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05.04.2022, ALONG WITH WP(C).1513/2021, 18099/2020

AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: W.P.(C.) Nos. 17673/2020 and conn.cases 4

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN TUESDAY, THE 5TH DAY OF APRIL 2022 / 15TH CHAITHRA, 1944 WP(C) NO. 1513 OF 2021 PETITIONER/S:

1 ANIYAN MICHAEL AGED 49 YEARS S/O. MICHAEL, RESIDING AT AVITTAMPILLY HOUSE, METHALA VILLAGE, KOTTAPURAM DESOM, KODUNGALLUR TALUK, THRISSUR DISTRICT REPRESENTED BY HIS POWER OF ATTORNEY HOLDER MRS NISHA ANIYAN MICHAEL, RESIDING AT AVITTAMPILLY HOUSE, METHALA VILLAGE, KOTTAPURAM DESOM, KODUNGALLUR TALUK THRISSUR DISTRICT

2 MRS NISHA ANIYAN AGED 37 YEARS W/O. ANIYAN MICHAEL RESIDING AVITTAMPILLY HOUSE, METHALA VILLAGE KOTTAPURAM DESOM, KODUNGALLUR TALUK, THRISSUR DISTRICT BY SR.ADV.M.RAMESH CHANDER FOR PETITIONER, ADV T.N.MANOJ RESPONDENT/S: 1 THE SECRETARY KODUNGALLUR MUNICIPALITY, KODUNGALLUR 680 664 2 KODUNGALLUR MUNICIPALITY, REPRESENTED BY ITS SECRETARY 680 664 3 MUZRIS PROJECTS LTD, DEPARTMENT OF TOURISM REPRESENTED BY ITS MANAGING DIRECTOR PULLUT KODUNGALLUR THRISSUR DISTRICT 680

4 C.A SEBASTIAN, S/O. ANTHONY, SHOP NO. 24/350, 351KOTTAPURAM W.P.(C.) Nos. 17673/2020 and conn.cases 5 KODUNGALLUR 680 667 5 A.C GEORGE, S/O.CHEEKU, SHOP NO 24/358, KOTTAPURAM KODUNGALLUR 6 K.G JOSEPH, S/O. GEORGE SHOP, ROOM NO. 24/354, KOTTAPURAM KODUNGALLUR 680 667 7 SAKEER HUSSAIN, SAJANA STORES, ROOM NO. 24/370/371, KOTTAPURAM KODUNGALLUR 680 667 8 K.C MICHAEL S/O. CHEEKU,M SHOP ROOM NO 24/361, KOTTAPURAM KODUNGALLUR 680 667

9 K P RUDRAN, S/O. PAPU, TEA STALL, SHOP ROOM NO 24/353, KOTTAPURAM KODUNGALLUR 680 667 10 K P KARTHIKEYAN, S/O. PAPU, TEAC STALL, SHOP ROOM NO. 24/352 KOTTAPURAM KODUNGALLUR 680 667 11 SADANANDAN S/O. GOPALAN, SHOP ROOM NO 24/359 AND 360., KOTTAPURAM KODUNGALLUR 680 667 12 SMT VALSA RAJAGOPAL ROOM NO. 24/368, KOTTAPURAM KODUNGALLUR 680 667 13 RAJA NARAYANAN, SHOP ROOM NO. 24/367, KOTTAPURAM KODUNGALLUR, 680 14 ADDL.R14. THE REVENUE DIVISIONAL OFFICER O/O. THE RDO IRINJALAKUDA-680125. 15 ADDL.R15. THE DISTRICT COLLECTOR COLLECTORATE, AYYANTHOLE, THRISSUR-680003. 16 ADDL.R16. THE STATION HOUSE OFFICER FIRE AND RESCUE SERVICES, KODUNGALLUR-680664. W.P.(C.) Nos. 17673/2020 and conn.cases 6 (IMPEADED AS PER ORDER DATED 23-09-2021 IN IA

17 ADDL.R17. THE EXECUTIVE ENGINEER, PWD(BUILDINGS DIVISION), THRISSUR-680020. [SUO MOTU IMPEADED AS PER ORDER DATED 23-03-2022 BY HON'BLE PVKK(J)]. BY ADVS. SHRI.K.A.NOUSHAD, SC, KODUNGALLOOR MUNICIPALITY, THRISSUR K.DHRUV KUMAR- R3 SRI.S.R.DAYANANDA PRABHU,R4 TO R13 SHRI.ASWIN PRABHU S.D. SMT.VIDHYA KURIAKOSE, GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05.04.2022, ALONG WITH WP(C).17673/2020 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: W.P.(C.) Nos. 17673/2020 and conn.cases 7

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN TUESDAY, THE 5TH DAY OF APRIL 2022 / 15TH CHAITHRA, 1944 WP(C) NO. 18099 OF 2020 PETITIONER/S: ALEX T.M. AGED 65 YEARS S/O. MATHUKUTTY, THUNDIPARAMBIL HOUSE, KOTTAPPURAM P.O., THRISSUR-680 667. BY ADVS. B.RAMACHANDRAN SRI.GEORGE THOMAS OLLUKKARAN RESPONDENT/S: 1 STATE OF KERALA REPRESENTED BY SECRETARY, MINISTRY OF LOCAL SELF GOVERNMENT INSTITUTIONS, GOVERNMENT SECRETARIATE, THIRUVANANTHAPURAM-695 001.

2 KODUNGALLUR MUNICIPALITY KODUNGALLUR P.O., THRISSUR-680 664 REPRESENTED BY ITS SECRETARY. 3 THE SECRETARY KODUNGALLUR MUNICIPALITY, THRISSUR-680 664. 4 ASSISTANT ENGINEER TOWN PLANNING, KODUNGALLUR MUNICIPALITY, KODUNGALLUR-680 664. 5 TAHSILDAR KODUNGALLUR TALUK OFFICE, IST FLOOR, MINI CIVIL STATION, NH-17, KODUNGALLUR-680 664. 6 ASSISTANT ENGINEER KERALA STATE ELECTRICITY BOARD, ELECTRICAL SECTION, W.P.(C.) Nos. 17673/2020 and conn.cases 8 KODUNGALLUR-680 665. 7 MANAGING DIRECTOR MUZRIS PROJECT LTD., PULLUT, KODUNGALLUR-680 663

8 ANIYAN MICHAEL AGED 50 YEARS S/O. MICHAEL, AVITTAMPILLY HOUSE, KOTTAPPURAM, KODUNGALLUR, THRISSUR-680 667. 9 NISHA ANIYAN AGED 37 YEARS W/O. ANIYAN MICHAEL, AVITTAMPILLY HOUSE, KOTTAPPURAM, KODUNGALLUR, THRISSUR-680 667. 10 ADDL.R10. THE EXECUTIVE ENGINEER PWD(BUILDINGS DIVISION) THRISSUR.

(ADDITIONAL R10 IS SUO MOTU IMPEADED AS PER ORDER

DATED 23-03-2022). BY ADVS. SHRI.K.A.NOUSHAD, SC, KODUNGALLOOR MUNICIPALITY, THRISSUR SRI.NIRMLA S., SC (KSEB) SRI.N.SATHEESH SRI.K.DHRUV KUMAR - R7 SRI.T.N.MANOJ - R8 SMT.VIDYA KUARIKOSE, GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05.04.2022, ALONG WITH WP(C).17673/2020 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: W.P.(C.) Nos. 17673/2020 and conn.cases 9

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN TUESDAY, THE 5TH DAY OF APRIL 2022 / 15TH CHAITHRA, 1944 WP(C) NO. 18587 OF 2020 PETITIONER/S: K.P.WILSON AGED 68 YEARS S/O. PAPPACHAN KOLADY HOUSE, KANIPPAYOOR P.O, THRISSUR-680 517 BY ADV B.RAMACHANDRAN RESPONDENT/S: 1 STATE OF KERALA REPRESENTED BY SECRETARY , MINISTRY OF LOCAL SELF GOVERNMENT INSTITUTIONS,

GOVERNMENT SECRETARIATE, THIRUVANANTHAPURAM-695 001

2 KODUNGALLUR MUNICIPALITY, KODUGALLUR P.O, THRISSUR-680 664, REPRESENTED BY ITS SECRETARY. 3 THE SECRETARY, KODUNGALLUR MUNICIPALITY, THRISSUR-680 664 4 ASSISTANT ENGINEER, TOWN PLANNING , KODUNGALLUR MUNICIPALITY, KODUNGALLUR-680 664. 5 TAHSILDAR, KODUNGALLUR TALUK OFFICE, 1ST FLOOR, MINI CIVIL STATION, NH-17, KODUNGALLUR-680 664 6 ASSISTANT ENGINEER, KERALA STATE ELECTRICITY BOARD, ELECTRICAL SECTION, KODUNGALLUR 680 665 7 MANAGING DIRECTOR, W.P.(C.) Nos. 17673/2020 and conn.cases 10 MUZIRIS PROJECT LTD, PULLUT, KODUNGALLUR-680 663

8 ANIYAN MICHAEL, AGED 50 YEARS MICHAEL, AVITTAMPILLY HOUSE, KOTTAPPURAM, KODUNGALLUR, THRISSUR-680 667 9 NISHA ANIYAN, AGED 37 YEARS W/O. ANIYAN MICHAEL, AVITTAMPILLY HOUSE, KOTTAPPURAM, KODUNGALLUR-680 667 10 ADDL.R10. THE EXECUTIVE ENGINEER PWD (BUILDING DIVISION), THRISSUR. [ADDITIONAL R10 IS SUO MOTU IMPEADED AS PER ORDER DATED 23.03.2022 IN WP(C)18587/2020]

BY ADV SRI.K.A.NOUSHAD, SC, KODUNGALLOOR MUNICIPALITY, THRISSUR SRI.A.ARUNKUMAR, SC (KSEB) SMT.VIDYA KURIAKOSE, GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05.04.2022, ALONG WITH WP(C).17673/2020 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: W.P.(C.) Nos. 17673/2020 and conn.cases 11

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN TUESDAY, THE 5TH DAY OF APRIL 2022 / 15TH CHAITHRA, 1944 WP(C) NO. 18782 OF 2020 PETITIONER/S:

1 ANIYAN MICHAEL AGED 49 YEARS S/O. MICHAEL, RESIDING AT AVITTAMPILLY HOUSE, METHALA VILLAGE, KOTTAPURAM DESOM,

KODUNGALLUR TALUK, THRISSUR DISTRICT, REPRESENTED BY
HIS POWER OF ATTORNEY HOLDER MRS NISHA ANIYAN AGED 37,
W/O. ANIYAN MICHAEL, RESIDING AT AVITTAMPILLY HOUSE,
METHALA VILLAGE, KOTTAPURAM DESOM, KODUNGALLUR
TALUK, THRISSUR DISTRICT,

2 NISHA ANIYAN AGED 37 YEARS W/O. ANIYAN MICHAEL, RESIDING AT
AVITTAMPILLY HOUSE, METHALA VILLAGE, KOTTAPURAM DESOM,
KODUNGALLUR TALUK, THRISSUR DISTRICT,

BY SR.ADV. SRI.M.RAMESH CHANDER, ADV T.N.MANOJ RESPONDENT/S: 1
THE SUB INSPECTOR OF POLICE KODUNGALLUR POLICE STATION,
KODUNGALLUR, 680664, 2 C.A. SEBASTIAN, S/O. ANTONY, SHOP NO.
24/350, 351, KOTTAPURAM, KODUNGALLUR, 680667. 3 A.C. GEORGE, S/O.
CHEEKU, SHOP ROOM NO.24/358, KOTTAPURAM KODUNGALLUR-680667. 4
K.G. JOSEPH S/O. GEORGE, SHOP ROOM NO.24/354, KOTTAPURAM
W.P.(C.) Nos. 17673/2020 and conn.cases 12 KODUNGALLUR-680667. 5
SAKEER HUSSAIN SAJANA STORES, SHOP ROOM NO.24/370,
371,KOTTAPURAM KODUNGALLUR-680667. 6 K.C MICHEAL S/O. CHEEKU,
SHOP ROOM NO.24/361, KOTTAPURAM KODUNGALLUR-680667. 7 K.P.
RUDRAN S/O. PAPU, TEA STALL, SHOP ROOM NO.24/353, KOTTAPURAM
KODUNGALLUR-680667. 8 K.P. KARTHIKEYAN S/O.PAPU, TEA STALL, SHOP
ROOM NO.24/352, KOTTAPURAM KODUNGALLUR-680667. 9 SADANANDAN
S/O. GOPALAN, SHOP ROOM NO.24/359,360, KOTTAPURAM
KODUNGALLUR-680667. 10 VALSA RAJAGOPAL, SHOP ROOM NO.24/368,
KOTTAPURAM KODUNGALLUR-680667. 11 RAJA NARAYANAN SHOP ROOM
NO.24/367, KOTTAPURAM KODUNGALLUR-680667. 12 THE TAHSILDAR
KODUNGALLUR TALUK OFFICE, MINI CIVIL STATION, NH 17,
KODUNGALLUR - 680664. 13 THE SECRETARY, KODUNGALLUR
MUNICIPALITY , KODUNGALLUR, 680664,

BY ADVS. SRI.S.R.DAYANANDA PRABHU,R2 TO R11 Sri.K.A.NOUSHAD, SC,
KODUNGALLOOR MUNICIPALITY, THRISSUR SHRI.ASWIN PRABHU S.D.
SRI.VIDYA KURIAKOSE, GP THIS WRIT PETITION (CIVIL) HAVING COME UP

FOR ADMISSION ON 05.04.2022, ALONG WITH WP(C).17673/2020 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: W.P.(C.) Nos. 17673/2020 and conn.cases 13 P.V.KUNHIKRISHNAN, J ----- W.P.(C.) Nos. 17673, 18099, 18587 & 18782 of 2020 & 1513 of 2021 -----
Dated this the 5th day of April, 2022

JUDGMENT

These writ petitions are connected and therefore, I am disposing of these writ petitions by a common judgment.

2. W.P.(C.) No.1513/2021 is filed by the landlord of a

row building and the petitioners in W.P.(C.) Nos. 18587/2020, W.P.(C.) No. 18782/2020 is filed by the petitioner in W.P.(C.) No. 1513/2021 for police protection.

3. Both sides submitted that, W.P.(C.) No. 1513/2021

can be taken as a leading case. Hence, I will take W.P.(C.) No. writ petition for disposing of these cases. It is the case of the petitioner that on 6.11.2019, petitioners jointly purchased an extent of 35.08 ares of land comprised in survey No. 1010/3-1, W.P.(C.) Nos. 17673/2020 and conn.cases 14 petitioners, it is an old dilapidated building. The 1st petitioner is employed in Middle East. The petitioners purchased the above land and the old building. They decided to construct a new shopping complex after demolishing the old one. Kodungallur Municipality had earlier issued notice to the predecessor-in-interest of the petitioners under Sec. 411 of the Kerala Municipality Act to demolish the building finding that the building is structurally unsound. But the tenants in the building refused to vacate their rooms in the building. Thereafter, the petitioners approached this Court seeking direction to the Kodungallur Municipality to inspect the building of the petitioners, with regard to the structural stability and to take action. This Court directed the Municipality to conduct the inspection and to take action. Structural Engineer and the approved valuer have inspected the building

and reported before the Municipality that the building has lost its structural stability. Again notices were issued by the Kodungallur Municipality invoking the powers under Sec.411 of the Kerala Municipality Act to the tenants for vacating the premises. W.P.(C) No. 17673/2020 was filed by W.P.(C.) Nos. 17673/2020 and conn.cases 15 the tenants challenging the notices issued by the Municipality on the ground that the building is propose to be converted and preserved as a Heritage monument by the Muzris, as part of Tourism. On the strength of the said contention, there was a proposal to preserve the building as a heritage. This Court directed the Secretary of the Municipality to hear the parties and consider the proposal of the Muzris for preservation of the building as a Heritage structure. The petitioners appeared and filed objection opposing the proposal for preservation. Secretary found that the proposal is not specific, and no orders produced with regard to the financial source as well as for acquisition or take over, even though directed, and hence, cannot be believed for want of precision and clarity. The Secretary of Kodungallur Municipality even thereafter by

order dated 20.10.2020 withdrew the earlier notice issued

under Sec.411 of the Municipalities Act without any reason is the grievance of the petitioner. The other writ petitions are filed by the tenants against the eviction notice issued to them.

4. Heard Sri.M.Ramesh Chander as instructed by his

retaining counsel. I also heard the respective counsels W.P.(C.) Nos. 17673/2020 and conn.cases 16 appearing for the petitioners in W.P.(C.) No. 18587/2020, Counsel appearing for the Municipality and also the counsel appearing for the 3rd respondent in W.P.(C.) No. 1513/2021. I also heard the learned Standing Counsel for KSEB, who appeared in W.P.(C.) Nos. 17673/2020, 18099/2020 and

5. The short point to be decided is whether the building

in question is structurally stable and whether the orders passed by the Municipality is sustainable or not. When this writ petition came up for consideration, the senior counsel takes me through Ext.R1(a) and R1(b) produced by the respondent Nos. 1

and 2. Ext.R1(a) is the proceedings by the Revenue Divisional Officer, Irinjalakuda to the District Collector, Thrissur. It will be better to extract the relevant portion of Ext.R1(a).

" structural stability test ,

W.P.(C.) Nos. 17673/2020 and conn.cases 17 2005 . .

6. Similarly, Ext.R1(b) is the proceedings of the District Collector to the Secretary, Kodungallur Municipality. It will be beneficial to extract the contents in Ext.R1(b).

" . . & 1 . . . WP (C) 1513 /21 1 . 2 . . .

W.P.(C.) Nos. 17673/2020 and conn.cases 18

7. In the light of Exts.R1(a) and R1(b), according to me,

Ext.P6 order passed by the Municipality will not stand. When these writ petitions came up for consideration on earlier occasion, the writ petitions were sent for meditation and the matters were not settled in the mediation. Again the matters came up for consideration on 23.3.2022 and this Court passed an order on that day, which is extracted hereunder :

The Executive Engineer, PWD (Buildings Division), Thrissur is suo motu impleaded as the additional respondent in these writ petitions. After hearing the petitioners in these cases in detail, according to me, the dispute can be resolved by deputing the Executive Engineer, PWD (Buildings Division), Thrissur to inspect the building in question and to find out the structural stability of the same. The Executive Engineer will peruse Ext.P3 produced in W.P.(C.) No.1513/2021. The inspection should be conducted after giving notice to all the petitioners and the Secretary of the Municipality. The inspection should be conducted within one week from the date of receipt of a copy of this order and submit a report before this Court within 10 days from the date of receipt of the

order. Post on 5.4.2022. Issue a copy of this order to the Government Pleader, who will communicate the same to the officer concerned. The petitioners are also free to produce the copy of this order before the Executive Engineer for compliance.

W.P.(C.) Nos. 17673/2020 and conn.cases 19

8. As directed by this Court, the Executive Engineer, PWD Building Division, Thrissur inspected the building and submitted a report before this Court. The relevant portion of the report is extracted hereunder :

As per the directions of the judgment in WP(C) No. 17673, 18099, 18587, 18782 of 2020 & 1513/2021 Dt.23.03.2022, I Executive Engineer, PWD Buildings Division, Thrissur conducted site inspection on 30.03.2022 in presence of petitioners & respondents and report as follows: The inspection to the above said property was done on 30.03.2022 11.A.M after serving notices to the petitioners and respondents. During the inspection petitioner No.2 of WP(C) No. KP.Wilson & Alex T.M are present. I have perused the Ex.P3 produced in WP (C) No.1513/2021 and inspected each and every shop room in the presence of occupants. Shop No.24/350, 351, 352, 353, 354 is part of a single building. The building is with laterite masonry in lime mortar with lime plastering load bearing wall and roof is Manglore pattern tile over wooden rafts and reapers. The building is more than 50 years of age. There is vertical & diagonal cracks starting from bottom to top in the backside wall of shop rooms and cracks from lintel level to top at front side wall portion. There is also cracks in the side wall also. The roof also damaged in some locations and supporting laterite wall is about to brittle. The building as a whole is structurally not stable. Building No.XIV/358, 359, 360, 361 & 362 is also part of same building occupying shops 350 to 354 but with a gap between this

W.P.(C.) Nos. 17673/2020 and conn.cases 20

two buildings due to the demolition of intermediate rooms. This portion of building also is structurally not stable and in dilapidated condition due to lack of periodical maintenance. Next building is building occupied by Sri.KP.Wilson and Sri.Alex T.M comprising of building No.XIV/365 & 366, 363 & 364. This building is a multistoried building. Partly it is two storied and partly it is three storied. Ground floor roof in wooden and first and second floor roof is reinforced concrete above laterite masonry. First floor and second floor is very dangerously damaged with plumb out walls and cracked roof. First floor and second floor is structurally very unstable. Since the ground floor roof is with wooden on dismantling the first and second floor; ground floor also may be become unstable and the structure as a whole structurally unstable. The occupants reported that this building is constructed during 1950's. Next row of buildings which having building No. 24/367 to 371 is also very old in nature and with laterite masonry walls in lime mortar and lime plastering. Building No. 368, 370 & 371 the back wall is found demolished and a fresh solid block wall without plastering is done in room No. 371 and 370 back portion is open. The front masonry wall is seems to be plumb out and these two shop rooms are not structurally stable. Room No.367 also back wall is reconstructed partially with brick and partly with solid block and MP tile are replaced with GI sheet over iron tubular framework supported on old laterite wall. This portion of building also is not structurally stable since the roof is supported on old laterite wall which is already damaged. The building as a whole is found structurally not sound at present condition. I may conclude that all the shop rooms described in Ext.P3 is found to be structurally not stable in the present condition. Periodical maintenance was not carried out for a long time in

W.P.(C.) Nos. 17673/2020 and conn.cases 21 these buildings.

9. In the light of the above finding by the Executive

Engineer, nothing survives in this case and the building is to be demolished. The Standing Counsel appearing for the Muzris submitted that if the petitioners are

ready to execute a memorandum of understanding with the Muzris, the Muzris will do the needful. But the Government Pleader submitted that there is no notification issued by the Government authorising the Muzris to do any activities in this building. Moreover, when the petitioners are not ready to execute any agreement with the Muzris, this Court cannot issue any orders. Therefore, W.P.(C.) No. 1513/2021 is to be allowed and all other petitions to be dismissed. Therefore, these writ petitions are disposed of in the following manner : 1) W.P.(C.) No. 1513/2021 is allowed and Ext.P6 is set aside. The petitioners are free to demolish the building in accordance to law. 2) W.P.(C.) No. 18587/2020, 18673/2020 and 18099/2020 are dismissed. W.P.(C.) Nos. 17673/2020 and conn.cases 22 3) W.P.(C.) No. 18782/2020 is dismissed as infructuous. 4) The petitioners in these writ petitions are given 60 days time to vacate the premises. But I make it clear that the continuance of the petitioners in the building will be at their risk. If any fresh cause of actions arise consequent to the demolition of the building to the petitioners, the same are left open. SD/- P.V.KUNHIKRISHNAN JUDGE SKS W.P.(C.) Nos. 17673/2020 and conn.cases 23 APPENDIX OF WP(C) 1513/2021 PETITIONER EXHIBITS EXHIBIT P1 TRUE COPY OF THE NOTICE DATED 29-2-2017 OF THE KODUNGALLUR MUNICIPALITY TO THE PREDECESSOR IN INTEREST OF THE PETITIONERS EXHIBIT P2 TRUE COPY OF THE JUDGMENT DATED 25-05-2020 OF THE WP(C) 10250/20 OF THIS HONOURABLE COURT EXHIBIT P3 TRUE COPY OF THE REPORT EVIDENCING THE

STRUCTURAL STABILITY OF THE BUILDING, OF THE PETITIONER PREPARED AT THE INSTANCE OF KODUNGALLUR MUNICIPALITY

EXHIBIT P4 TRUE COPY OF THE NOTICE DATED 21-10-2020 OF THE KODUNGALLUR MUNICIPALITY ISSUED TO THE PETITIONERS EXHIBIT P5 TRUE COPY OF THE OBJECTIONS FILED BY THE PETITIONERS BEFORE BEFORE SECRETARY OF KODUNGALLUR MUNICIPALITY OPPOSING THE REQUEST OF THE MUZRIS EXHIBIT P6 TRUE COPY OF THE ORDER DATED 20-10-2020 OF THE SECRETARY KODUNGALLUR MUNICIPALITY WITH DRAWING THE EARLIER NOTICE EXHIBIT P7 TRUE COPY OF THE APPLICATION SUBMITTED BEFORE THE KODUNGALLUR MUNICIPALITY

UNDER THE RIGHT TO INFORMATION ACT EXHIBIT P7 TRUE COPY OF THE
REPLY/INFORMATION

OBTAINED FROM KODUNGALLUR MUNICIPALITY TO THE APPLICATION
SUBMITTED UNDER THE RIGHT TO INFORMATION ACT.

EXHIBIT P8 PHOTOGRAPH OF THE NEWLY CONSTRUCTED BUILDING BY
THE GOVERNMENT AT THE SHORE ABUTTING THE BACKWATERS W.P.(C.)
Nos. 17673/2020 and conn.cases 24 EXHIBIT P9 PHOTOGRAPH OF THE SHED
ADJOINING THE PETITIOENRS BUILDING WITH THE NEW IRIN ROOF
SHEETS, REPLACING THE OLD TILES EXHIBIT P10 TRUE COPY OF THE
APPLICATION SUBMITTED BEFORE THE KODUNGALLUR MUNICIPALITY
UNDER THE RIGHT TO INFORMATION ACT. EXHIBIT P10 TRUE COPY OF
THE REPLY /INFORMATION

OBTAINED FROM KODUNGALLUR MUNICIPALITY TO THE APPLICATION
SUBMITTED UNDER THE RIGHT TO INFORMATION ACT.

EXHIBIT P11 PHOTOGRAPH EVIDENCING THE STRUCTURAL LIE NATURE
OF THE BUILDING CONTAINING ROOM NO 370 OCCUPIED BY THE TENANT
EXHIBIT P12 PHOTOGRAPH EVIDENCING THE STRUCTURAL LIE NATURE
OF A PORTION OF THE SAME BUILDING. EXHIBIT P13 NEWS ITEM
APPEARED IN MADHYAMAM DAILY DATED 12-1-2021 REPORTING ABOUT
THE COLLAPSE OF THE BUILDING. EXHIBIT P14 TRUE COPY OF THE
LETTER DATED 26.5.2021 OF

THE 2ND RESPONDENT ADDRESSING THE 3RD RESPONDENT OBTAINED
UNDER THE PROVISIONS OF THE RIGHT TO INFORMATION ACT. EXHIBIT
P15 TRUE COPY OF THE COVERING LETTER OF THE 3RD RESPONDENT
DATED 7.6.2021 ADDRESSING THE MUNICIPALITY PRODUCING THE
STRUCTURAL STABILITY REPORT PREPARED BY M/S. RICH TIGER WERT.
EXHIBIT P16 TRUE COPY OF THE STRUCTURAL STABILITY

REPORT DATED 17.3.2021 PERTAINING TO ROOM NO. 24/353 PREPARED
BY M/S. RICH TIGER WET PRODUCED BY THE 3RD RESPONDENT BEFORE

THE 2ND RESPONDENT EXHIBIT P17 TRUE COPY OF THE STRUCTURAL STABILITY REPORT DATED 17.3.2021 PERTAINING TO ROOM NO.24/358 PREPARED BY M/S. RICH TIGER WERT PRODUCED BY THE 3RD RESPONDENT BEFORE THE 2ND RESPONDENT. W.P.(C.) Nos. 17673/2020 and conn.cases 25 EXHIBIT P18 PHOTOGRAPH EVIDENCING THE DESTROYED NATURE OF THE REAR SIDE OF ROOM NO. 24/358 EXHIBIT P19 TRUE COPY OF THE STRUCTURAL STABILITY REPORT DATED 17.3.2021 PERTAINING TO ROOM NUMBER 24/359, 24/360 PREPARED BY M/S. RICH TIGER WERT PRODUCED BY THE 3RD RESPONDENT BEFORE THE 2ND RESPONDENT EXHIBIT P20 THE STRUCTURAL STABILITY REPORT DATED 17.3.2021 PERTAINING TO ROOM NUMBER 24/361 PREPARED BY M/S. RICH TIGER WERT PRODUCED BY THE 3RD RESPONDENT BEFORE THE 2ND RESPONDENT EXHIBIT P21 PHOTOGRAPH EVIDENCING THE DESTROYED NATURE OF THE REAR SIDE OF ROOM NO 24/361 EXHIBIT P22 TRUE COPY OF THE STRUCTURAL STABILITY REPORT DATED 17.3.2021 PERTAINING TO ROOM NUMBER 24/362 PREPARED BY M/S.RICH TIGER WERT PRODUCED BY THE 3RD RESPONDENT BEFORE THE 2ND RESPONDENT EXHIBIT P23 TRUE COPY OF THE STRUCTURAL STABILITY REPORT DATED 17.3.2021 PERTAINING TO ROOM NO,24/363 PREPARED BY M/S. RICH TIGER WERT PRODUCED BY THE 3RD RESPONDENT BEFORE THE 2ND RESPONDENT EXHIBIT P24 THE STRUCTURAL STABILITY REPORT DATED 17.3.2021 WITH REGARD TO ROOM NO.24/366 PREPARED BY M/S.RICH TIGER WERT PRODUCED BY THE 3RD RESPONDENT BEFORE THE 2ND RESPONDENT EXHIBIT P25 TRUE COPY OF THE PAPER REPORT APPEARED IN KERALA KAUMUDI DAILY DATED 26.5.2021 EXHIBIT P26 TRUE COPY OF THE STRUCTURAL STABILITY REPORT DATED 17.3.2021 WITH REGARD TO ROOM NO. 24/368, PREPARED BY M/S.RICH TIGER WERT PRODUCED BY THE 3RD RESPONDENT BEFORE THE 2ND RESPONDENT W.P.(C.) Nos. 17673/2020 and conn.cases 26 EXHIBIT P27 PHOTOGRAPH EVIDENCING THE DESTROYED NATURE OF ROOM NO .24/368 EXHIBIT P28 TRUE COPY OF THE STRUCTURAL STABILITY REPORT DATED 17.3.2021 PREPARED BY M/S.RICH TIGER WERT PERTAINING TO ROOM NOS. 24/369 PRODUCED BY

THE 3RD RESPONDENT BEFORE THE 2ND RESPONDENT EXHIBIT P29 TRUE COPY OF THE STRUCTURAL STABILITY REPORT DATED 17.3.2021 PREPARED BY M/S. RICH TIGER WERT PERTAINING TO ROOM NOS.24/370 AND 24/371 PRODUCED BY THE 3RD RESPONDENT BEFORE THE 2ND RESPONDENT

EXHIBIT P30 PHOTOGRAPH EVIDENCING DESTROYED REAR VIEW OF THE IYE OF THE BUILDING WHEREIN THESE ROOMS 24/367 24/369 & 24/370 WERE SITUATED. EXHIBIT P31 PHOTOGRAPH EVIDENCING DESTROYED REAR VIEW OF THE IYE OF THE BUILDING WHEREIN THESE ROOMS 24/367 24/269 & 24/370 ARE SITUATED. EXHIBIT P32 PHOTOGRAPH EVIDENCING FRONT VIEW OF THE IYE OF THE BUILDING WHEREIN THESE ROOMS BEFORE BEING COLLAPSED EXHIBIT P33 THE NEWS ITEM APPEARED IN THE NEWSPAPER

MALAYALA MANORAMA DAILY DATED 25.5.2021 REPORTING THE DESTRUCTION OF THE BUILDING ORDERED TO BE DEMOLISHED BY THE MUNICIPALITY EXHIBIT P34 THE NEWS ITEM APPEARED IN THE NEWSPAPER MATHRUBHUMI DAILY DATED 25.5.2021 REPORTING THE DESTRUCTION OF THE BUILDING ORDERED TO BE DEMOLISHED BY THE MUNICIPALITY

EXHIBIT P35 TRUE COPY OF THE NOTICE DATED 27.1.2021 ISSUED BY THE MUNICIPALITY TO THE 1ST PETITIONER. W.P.(C.) Nos. 17673/2020 and conn.cases 27 RESPONDENT EXHIBITS Exhibit R4(1) TRUE COPY OF LETTER DATED 23.2.2021 ISSUED BY 3RD RESPONDENT TO THE 1ST PETITIONER. Exhibit R4(2) TRUE COPY OF LETTER DATED 23.2.2021 ISSUED BY 3RD RESPONDENT TO THE 2ND PETITIONER Exhibit R4(3) TRUE COPY OF THE REPLY LETTER DATED 5.3.2021 ISSUED BY PETITIONERS TO THE 3RD RESPONDENT. Exhibit R4(4) TRUE COPY OF INTERIM ORDER DATED 26.8.2020 IN WPC NO. 17673/2020 Exhibit R4(5) COPY OF PHOTOGRAPH OF ATTEMPT MADE BY THE PETITIONERS FOR DEMOLITION OF BUILDING WITH JCB Exhibit R4(6) PHOTOGRAPH OF JCB BROUGHT BY PETITIONERS FOR DEMOLITION OF BUILDING Exhibit R4(7) PHOTOGRAPH OF

RENOVATED BUILDING IN CHENDAMANGALAM Exhibit R4(8) PHOTOGRAPH
OF RENOVATED BUILDING IN CHENDAMANGALAM Exhibit R4(9)
PHOTOGRAPH OF RENOVATED BUILDING IN CHENDAMANGALAM Exhibit
R4(10) PHOTOGRAPH OF RENOVATED BUILDING IN CHENDAMANGALAM
Exhibit R1(a) A TRUE COPY OF THE FILE NO.B4-7528/21

DATED 10/09/2021 SUBMITTED BY THE REVENUE DIVISIONAL OFFICER,
IRINJALAKUDA TO THE DISTRICT COLLECTOR, THRISSUR.

Exhibit R1(b) A TRUE COPY OF THE COMMUNICATION DATED COLLECTOR,
THRISSUR TO THE MUNICIPAL SECRETARY. W.P.(C.) Nos. 17673/2020 and
conn.cases 28 Exhibit R1(C) A TRUE COPY OF THE DATED 5.8.2020
RECEIVED ON 20.8.2020 ISSUEDBY THE DIRECTOR OF 3RD RESPONDENT
TO THE 2ND RESPONDENT Exhibit R1(D) A TRUE COPY OF THE GO DATED
16.10.2020 BEARING GO NO.338/2020/TOURISM SUBMITTED TO THE 1ST
RESPONDENT EXHIBIT R1(E) A TRUE COPY OF THE ORDER DATED
27.1.2021 ISSUED BY THE 2ND RESPONDENT EXHIBIT R1(F) A TRUE COPY
OF THE REPLY DATED 7.6.2021 ISSUED BY THE 3RD RESPONDENT
EXHIBIT R1(G) A TRUE COPY OF THE LETTER DATED 1.7.2021 ISSUED BY
FIRE AND RESCUE DEPARTMENT KODUNGALLUR W.P.(C.) Nos. 17673/2020
and conn.cases 29 APPENDIX OF WP(C) 18587/2020 PETITIONER EXHIBITS
EXHIBIT P1 TRUE COPY OF PLAINT FILED AS O.S. NO. KOUNGALLORE.
EXHIBIT P2 TRUE COPY OF COMMISSION REPORT DATED 05.08.2020 IN
O.S. NO. 567/2020 EXHIBIT P3 TRUE COPY OF JUDGMENT DATED 25.5.2020
IN W.P.(C) NO. 10250/2020. EXHIBIT P4 TRUE COPY OF NOTICE DATED
21.07.2020 OF THE 3RD RESPONDENT. EXHIBIT P5 TRUE COPY OF NOTICE
DATED 20.08.2020 OF THE 6TH RESPONDENT. EXHIBIT P6 TRUE COPY OF
PETITION DATED 21.08.2020 SUBMITTED BEFORE THE 3RD RESPONDENT.
EXHIBIT P7 TRUE COPY OF STATEMENT DATED 21.08.2020 SUBMITTED
BEFORE THE 6TH RESPONDENT. EXHIBIT P8 TRUE COPY OF ORDER
DATED 5.8.2020 OF THE 7TH RESPONDENT. RESPONDENT'S EXHIBITS
ANNEXURE R2(A) A TRUE COPY OF THE DECISION DATED 20.10.2020 OF
THE SECRETARY, KODUNGALLUR MUNICIPALITY ANNEXURE R2(B) A TRUE
COPY OF THE FILE NO.B4-7528/21

DATED 10.9.2021 SUBMITTED BY THE REVENUE DIVISIONAL OFFICER, IRINGALAKUDA TO THE DISTRICT COLLECTOR, THRISSUR

ANNEXURE R2(C) A TRUE COPY OF THE COMMUNICATION DATED 22.9.2021 ISSUED BY THE DISTRICT COLLECTOR, THRISSUR TO THE MUNICIPAL SECRETARY. W.P.(C.) Nos. 17673/2020 and conn.cases 30 APPENDIX OF WP(C) 18099/2020 PETITIONER EXHIBITS EXHIBIT P1 TRUE COPY OF PLAINT FILED AS O.S. NO. KOUNGALLORE. EXHIBIT P2 TRUE COPY OF COMMISSION REPORT DATED 07.08.2020 IN O.S. NO. 566/2020 EXHIBIT P3 TRUE COPY OF JUDGMENT DATED 25.5.2020 IN W.P.(C) NO. 10250/2020. EXHIBIT P4 TRUE COPY OF NOTICE DATED 21.07.2020 OF THE 3RD RESPONDENT. EXHIBIT P5 TRUE COPY OF NOTICE DATED 20.08.2020 OF THE 6TH RESPONDENT. EXHIBIT P6 TRUE COPY OF PETITION DATED 21.08.2020 SUBMITTED BEFORE THE 3RD RESPONDENT. EXHIBIT P7 TRUE COPY OF STATEMENT DATED 21.08.2020 SUBMITTED BEFORE THE 6TH RESPONDENT. EXHIBIT P8 TRUE COPY OF ORDER DATED 5.8.2020 OF THE 7TH RESPONDENT. EXHIBIT P9 TRUE COPY OF ORDER DATED 28.9.2020 IN WPC RESPONDENT'S EXHIBITS ANNEXURE R2(A) A TRUE COPY OF THE LETTER 5.8.2020 RECEIVED ON 20.8.2020 ISSUED BY THE DIRECTOR OF 7TH RESPONDENT TO THE 1ST RESPONDENT ANNEXURE R2(B) A TRUE COPY OF THE DECISION DATED 20.10.2020 OF THE 2ND RESPON ANNEXURE R2(C) A TRUE COPY OF GO DATED 16.10.2020 BEARING GO NO. 338/2020/TOURISM SUBMITTED TO THE W.P.(C.) Nos. 17673/2020 and conn.cases 31 3RD RESPONDENT. EXT.R2(D) A TRUE COPY OF NOTICE DATED 27.1.2021 ISSUED BY THE 1ST RESPONDENT EXT.R2(E) A TRUE COPY OF THE REPLY DATED 7.6.2021 ISSUED BY THE 7TH RESPONDENT EXT.R2(F) A TRUE COPY OF THE LETTER DATED 1.7.2021 ISSUED BY FIRE AND RESCUE DEPARTMENT, KODUNGALLUR EXT.R4(G) A TRUE COPY OF THE COMMUNICATION DATED 22.9.2021 ISSUED BY THE DISTRICT COLLECTOR, THRISSUR TO THE MUNICIPAL SECRETARY EXT.R4(H) A TRUE COPY OF THE REPORT DATED 10.9.2021 SUBMITTED BY THE REVENUE DIVISIONAL OFFICER, IRINGALAJUDA TO THE DISTRICT COLLECTOR, THRISSUR W.P.(C.) Nos. 17673/2020 and conn.cases 32 APPENDIX OF WP(C) 17673/2020 PETITIONER EXHIBITS EXHIBIT P1 TRUE

COPY OF THE NOTICE DT. 17.6.2020 ISSUED BY THE COUNSEL OF RESPONDENTS 4 & 5 TO THE 2ND PETITIONER. EXHIBIT P2 TRUE COPY OF THE REPLY NOTICE DT. 3.7.2020. EXHIBIT P3 TRUE COPY OF THE JUDGMENT DT. 25.5.2020 IN WPC NO. 10250/2020. EXHIBIT P4 TRUE COPY OF LETTER DT. 7.8.2020 ALONG WITH COPY OF LETTER DATED 5.8.2020 ISSUED BY THE 3RD RESPONDENT TO THE 5TH PETITIONER. EXHIBIT P5 TRUE COPY OF THE DISCONNECTION NOTICE DT. 20.8.2020 ISSUED BY 1ST RESPONDENT TO THE 2ND PETITIONER HEREIN. EXHIBIT P6 TRUE COPY OF NOTICE DT. 21.7.2020 ISSUED BY 2ND RESPONDENT TO THE RESPONDENTS 4 & 5. EXHIBIT P7 TRUE COPY OF LEASE DT. 1.1.2020 IN FAVOUR OF 1ST PETITIONER. EXHIBIT P7 TRUE COPY OF LEASE DT. 1.1.2020 IN FAVOUR OF 1ST PETITIONER. EXHIBIT P10(A) PHOTOGRAPH OF THREE STORIED BUILDING OWNED BY THE RESPONDENTS 3&5 EXHIBIT P10(B) PHOTOGRAPH OF THE BUILDING OCCUPIED BY 10TH PETITIONER EXHIBIT P10(C) PHOTOGRAPHS OF THE BUILDING NO.24/362 OCCUPIED BY BALAKRISHNAN VAIDYAR W.P.(C.) Nos. 17673/2020 and conn.cases 33 EXHIBIT P10(D) PHOTOGRAPH OF BUILDING NOS. 24/350 AND 351 OCCUPIED BY 1ST PETITIONER EXHIBIT P10(E) PHOTOGRAPH OF BUILDING NO. 24/358 OCCUPIED BY 2ND PETITIONER EXHIBIT P10(F) PHOTOGRAPHS OF BUILDING NO.24/354 OCCUPIED BY 3RD PETITIONER- RATION SHOP EXHIBIT P10(G) PHOTOGRAPHS OF BUILDING NO. 24/370 AND 371 OCCUPIED BY 4TH PETITIONER EXHIBIT P10(H) PHOTOGRAPH OF BUILDING NO. 24/361 OCCUPIED BY 5TH PETITIONER EXHIBIT P10(I) PHOTOGRAPH OF BUILDING NO.24/353 OCCUPIED BY 6TH PETITIONER EXHIBIT P10(J) PHOTOGRAPH OF BUILDING NO. 24/352 OCCUPIED BY 7TH PETITIONER EXHIBIT P10(K) PHOTOGRAPH OF BUILDING NO. 24/359 AND 360 OCCUPIED BY THE 8TH PETITIONER EXHIBIT P10(L) PHOTOGRAPH OF BUILDING NO. 24/368 OCCUPIED BY 9TH PETITIONER EXHIBIT P11 COMMISSION REPORT DT 7.8.2020 IN OS NO.566/2020 MUNSIF'S COURT, KODUNGALLUR EXHIBIT P12 COMMISSION REPORT DT 5.8.2020 IN OS NO. RESPONDENT EXHIBITS EXHIBIT R5(a) PHOTOGRAPH EVIDENCING THE LIE AND AND NATURE OF THE BUILDING. EXHIBIT R5(b) PHOTOGRAPH EVIDENCING THE LIE AND NATURE OF HTE BUILDING. EXHIBIT R5(c)

PHOTOGRAPH EVIDENCING THE LIE AND NATURE OF THE BUILDING. W.P.(C.) Nos. 17673/2020 and conn.cases 34 EXHIBIT R5(d) PHOTOGRAPH EVIDENCING THE LIE AND NATURE OF THE BUILDING EXHIBIT R5(e) PHOTOGRAPH EVIDENCING THE LIE AND NATURE OF THE INTERIORS OF THE BUILDING AND ROOMS WITHIN THE BUILDING. EXHIBIT R5(f) PHOTOGRAPH EVIDENCING THE LIE AND NATURE OF THE INTERIORS OF THE BUILDING AND ROOMS WITHIN THE BUILDING EXHIBIT R5(g) PHOTOGRAPH EVIDENCING THE LIE AND NATURE OF THE INTERIORS OF THE BUILDING AND ROOMS WITHIN THE BUILDING EXHIBIT R5(h) TRUE COPY OF THE NOTICE DATED 25/8/2020, OF THE KODUNGALLUR MUNICIPALITY, ISSUED TO THE PETITIONERS EXHIBIT R5(i) TRUE COPY OF THIS NOTICE, DT 29/8/2017 ADDRESSED TO JOHNSON BY THE 2ND RESPONDENT MUNICIPALITY EXHIBIT R5(j): TRUE COPY OF THE NOTICE DATED 25/08/2020, OF THE KODUNGALLUR MUNICIPALITY, ISSUED TO THE PETITIONER. EXHIBIT R2(D) A TRUE COPY OF THE LETTER DATED 5.8.2020 RECEIVED ON 20.8.2020 ISSUED BY THE DIRECTOR OF 3RD RESPONDENT TO THE 1ST RESPON EXHIBIT R2(E) A TRUE COPY OF GO DATED 16.10.2020 BEARING GO NO 338/2020/TOURSIM SUBMITTED TO THE 1ST RESPONDENT EXHIBIT R2(F) A TRUE COPY OF THE NOTICE DATED 27.1.2021 ISSUED BY THE 1ST RESPONDENT EXHIBIT R2(G) A TRUE COPY OF THE REPLY DATED 7.6.2021 ISSUED BY THE 3RD RESPONDENT EXHIBIT R2(H) A TRUE COPY OF THE LETTER DATED 29.6.2021 ISSUED BY FIRE AND RESCUE DEPARTMENT, KODUNGALLUR W.P.(C.) Nos. 17673/2020 and conn.cases 35 PETITIONER EXHIBITS Exhibit P13 TRUE COPY OF THE LETTER DT.23/2/2021 ISSUED BY 3RD RESPONDENT TO THE 4TH RESPONDENT Exhibit P14 TRUE COPY OF THE LETTER DT.23/2/2021 ISSUED BY 3RD RESPONDENTS 4 & 5 Exhibit P15 TRUE COPY OF REPLY LETTER DT. 5/3/2021 ISSUED BY RESPONDENTS 4 & 5 TO THE 3RD RESPONDENT Exhibit P16 COPY OF PHOTOGRAPH OF ATTEMPT MADE BY RESPONDENTS 4 & 5 FOR DEMOLITION OF BUILDING WITH JCB Exhibit P17 PHOTOGRAPH OF JCB BROUGHT FOR DEMOLITION Exhibit P18 PHOTOGRAPH OF RENOVATED BUILDING IN CHENDAMANGALAM Exhibit P19 PHOTOGRAPH OF RENOVATED BUILDING IN CHENDAMANGALAM

Exhibit P20 PHOTOGRAPH OF RENOVATED BUILDING IN
CHENDAMANGALAM Exhibit P21 PHOTOGRAPH OF RENOVATED BUILDING
IN CHENDAMANGALAM

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