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P.J. James vs the Greater Cochin Development Authority

P.J. James vs the Greater Cochin Development Authority

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Court : Kerala

Decided On : Oct-28-2022

Judge : Honourable Mr. Justice Shaji P.Chaly

Appeal No. : WP(C)/10683/2013

Appellant : P.J. James

Respondent : The Greater Cochin Development Authority

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE SHAJI P.CHALY FRIDAY, THE 28TH DAY OF OCTOBER 2022 / 6TH KARTHIKA, 1944 WP(C) NO. 10683 OF 2013 PETITIONER/S: P.J. JAMES, AGED 54 YEARS, S/O. JOSE.P.V. POTTAKKAL HOUSE, PERIYAR GARDENS, GCDA ROAD, THOTTAKKATTUKARA, ALUVA, SECRETARY, PERIYAR GARDENS, RESIDENTS ASSOCIATION GCDA ROAD, THOTTAKKATTUKARA, ALUVA. BY ADVS. SRI.N.N.SUGUNAPALAN (SR.) SRI.S.SUJIN RESPONDENT/S: THE GREATER COCHIN DEVELOPMENT AUTHORITY (GCDA) P.B. NO. 2012, KADAVANTHRA, KOCHI-682 020, REPRESENTED BY ITS SECRETARY. BY ADV SRI.MINI V.A., SC, GCDA THIS WRIT

PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28.10.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: W.P.(C) No. 10683/2013 :2:

SHAJI P. CHALY, J.

W.P.(C). No. 10683 of 2013 Dated this the 28th day of October, 2022.

JUDGMENT

The petitioner has filed this writ petition seeking the following reliefs:

1. Issue a writ of mandamus or any other appropriate writ, order or

direction directing the respondent not to take any steps to divest any portion of the property acquired and set apart for the common purpose of the allottees in the housing colony, to anybody other than the members of the Periyar Residential Colony;

2. Issue a writ of mandamus or any other appropriate writ, order or

direction directing the respondent to take effective steps to safeguard the interests of the petitioner and other similar allottees, by providing sufficient security for the properties acquired for the allottees in the Periyar Residential Colony;

2. However, today, when the matter is taken up for

consideration, Ms. Pooja Surendran, learned counsel representing the learned counsel for the petitioner on record, Sri. N.N. Sugunapalan, submitted that the matter has become infructuous. Accordingly, this writ petition is dismissed as infrucutous. sd/- SHAJI P. CHALY, JUDGE. Rv

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