

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

FRIDAY, THE 19<sup>TH</sup> DAY OF JANUARY 2024 / 29TH POUSHA, 1945

WP(C) NO. 2227 OF 2024

**PETITIONER:**

GEORGE VARGHESE  
AGED 76 YEARS  
S/O VARKEY GEORGE, PUTHENPURAYIL HOUSE,  
SAHAKARANA ROAD, THOPPIL,  
THRIKKAKARA P.O., KOCHI, PIN - 682021

BY ADVS.  
M.R.MINI  
VINOD RAVINDRANATH  
MEENA.A.  
K.C.KIRAN  
M.DEVESH  
ANISH ANTONY ANATHAZHATH  
THAREEQ ANVER K.  
NIVEDHITHA PREM.V  
T.KRISHNANUNNI (SR.)

**RESPONDENTS:**

- 1 THE GENERAL MANAGER  
DISTRICT INDUSTRIES CENTRE, AROOR,  
ALAPPUZHA DISTRICT, PIN - 688534
- 2 THE DIRECTOR OF INDUSTRIES AND COMMERCE  
VIKAS BHAVAN, THIRUVANTHAPURAM, PIN - 695033
- 3 THE STATE OF KERALA  
REPRESENTED BY THE SECRETARY, DEPARTMENT OF INDUSTRIES,  
SECRETARIAT, THIRUVANTHAPURAM, PIN - 695001
- 4 THE PARTNER  
M/S CLASSIC PAINTS, DEVELOPMENT AREA,  
AROOR, ALAPPUZHA DISTRICT, PIN - 688534

BY ADV.SMT.DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
19.01.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**JUDGMENT**

*Dated this the 19<sup>th</sup> day of January, 2024*

Petitioner has approached this Court seeking a direction to the first respondent to consider and pass orders on Ext.P2 representation submitted by him.

2. Petitioner is the Managing Partner of a small scale industrial unit, who has been allotted with a land in 1980 for setting up an industrial unit. As per the agreement entered with the Government, petitioner remitted the entire land value and after taking possession of the land, he developed the same and constructed a building having a plinth area of about 400 sq.ft. for running the unit and also installed machineries necessary for the functioning of the same. While so, disputes arose between the management and the labourers and layoff was declared and the unit could not function. Later on by Ext.P1 order, the land was resumed from the petitioner and was allotted to the fourth respondent. Though Ext.P1 was challenged before this Court, the same was not entertained. As per the terms of Ext.P1, the fourth respondent has to remit 20% of the total land value and compensation for improvements made by

the petitioner. The grievance raised by the petitioner is that the fourth respondent has not complied with the said condition in Ext.P1. In the said circumstance that the petitioner has preferred Ext.P2 representation before the first respondent and seeks for an expeditious disposal of the same.

3. Heard the learned Government Pleader also.

4. After hearing both sides, I am inclined to dispose of the Writ Petition with a direction to the first respondent to take up Ext.P2 representation and pass orders on the same in accordance with law, as expeditiously as possible, at any rate, within an outer limit of two months from the date of receipt of a copy of this judgment, after affording an opportunity of being heard to the petitioner and the fourth respondent.

Writ Petition is disposed of with the above directions.

Sd/-

**VIJU ABRAHAM  
JUDGE**

csI

**APPENDIX OF WP(C) 2227/2024**

**PETITIONER EXHIBITS**

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|------------|---|
| Exhibit P1 | TRUE COPY OF THE ORDER DATED<br>05.08.2006 PASSED BY THE 1ST<br>RESPONDENT                      |
| Exhibit P2 | THE REPRESENTATION DATED 28.06.2023<br>SUBMITTED BY THE PETITIONER BEFORE<br>THE 1ST RESPONDENT |