

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

WEDNESDAY, THE 20<sup>TH</sup> DAY OF DECEMBER 2023 / 29TH AGRAHAYANA, 1945

WP(C) NO. 20255 OF 2022

PETITIONER:

UBAIDULLA T.K., AGED 57 YEARS,  
VALIYA VEETIL (H), VAZHAKKAD PO,  
MALAPPURAM. PIN 673 640.

BY ADVS.  
JACOB P.ALEX  
JOSEPH P.ALEX  
MANU SANKAR P.  
AMAL AMIR ALI  
RUTH K. ABY

RESPONDENTS:

- 1 STATE OF KERALA,  
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY,  
DEPARTMENT OF LOCAL SELF GOVERNMENT,  
GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM. PIN 695 001.
- 2 ADDITIONAL CHIEF SECRETARY,  
DEPARTMENT OF FINANCE, GOVT. OF KERALA,  
GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM. PIN 695 001.
- 3 CHIEF ENGINEER,  
LOCAL INFRASTRUCTURE DEVELOPMENT AND  
ENGINEERING WING OF LSGD, 5TH FLOOR,  
SWARAJ BHAVAN, NANTHANCODE, KOWDIAR PO,  
THIRUVANANTHAPURAM. PIN 695003.
- 4 EXECUTIVE ENGINEER,  
OFFICE OF EXECUTIVE ENGINEER,  
LID & EW DIVISION, MALAPPURAM, CIVIL STATION,  
MALAPPURAM. PIN 676 505.
- 5 ASSISTANT EXECUTIVE ENGINEER,  
OFFICE OF ASSISTANT EXECUTIVE ENGINEER (LSGD),  
PONNANI BLOCK, EDAPPAL, MALAPPURAM. PIN 679576.
- 6 ASSISTANT ENGINEER,

PONNANNI MUNICIPALITY, PONNANI PO,  
MALAPPURAM DISTRICT. PIN 679 577.

- 7 PONNANI MUNICIPALITY,  
REPRESENTED BY ITS SECRETARY, PONNANI P.O.,  
MALAPPURAM DISTRICT 679 577.
- 8 SECRETARY, PONNANI MUNICIPALITY, PONNANI P.O.,  
MALAPPURAM DISTRICT, PIN 679 577.

BY ADV.SRI.P.S.APPU, GP  
SRI.C.V.MANUVILSAN,

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR  
ADMISSION ON 20.12.2023, ALONG WITH WP(C).20537/2022,  
20430/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

WEDNESDAY, THE 20<sup>TH</sup> DAY OF DECEMBER 2023 / 29TH

AGRAHAYANA, 1945

WP(C) NO. 20537 OF 2022

PETITIONER:

UBAIDULLA T.K., AGED 57 YEARS,  
VALIYA VEETIL (H), VAZHAKKAD P.O,  
MALAPPURAM, PIN - 673640.

BY ADVS.  
JACOB P.ALEX  
JOSEPH P.ALEX  
MANU SANKAR P.  
AMAL AMIR ALI  
RUTH K. ABY

RESPONDENTS:

- 1 STATE OF KERALA  
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY,  
DEPARTMENT OF LOCAL SELF GOVERNMENT,  
GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001.
- 2 ADDITIONAL CHIEF SECRETARY,  
DEPARTMENT OF FINANCE,  
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001.
- 3 CHIEF ENGINEER,  
LOCAL INFRASTRUCTURE DEVELOPMENT AND  
ENGINEERING WING OF LSGD, 5TH FLOOR,  
SWARAJ BHAVAN, NANTHANCOD, KOWDIAR P.O,  
THIRUVANANTHAPURAM, PIN - 695003.

- 4 EXECUTIVE ENGINEER,  
OFFICE OF EXECUTIVE ENGINEER,  
LID & EW DIVISION, MALAPPURAM, CIVIL STATION,  
MALAPPURAM, PIN - 676505.
- 5 ASSISTANT EXECUTIVE ENGINEER,  
OFFICE OF ASSISTANT EXECUTIVE ENGINEER (LSGD),  
PONNANI BLOCK, EDAPPAL,  
MALAPPURAM, PIN - 679576.
- 6 ASSISTANT ENGINEER,  
PONNANI MUNICIPALITY, PONNANI P.O.  
MALAPPURAM DISTRICT, PIN 679 577.
- 7 PONNANI MUNICIPALITY,  
REPRESENTED BY ITS SECRETARY, PONNANI P.O,  
MALAPPURAM DISTRICT, PIN - 679577.
- 8 SECRETARY, PONNANI MUNICIPALITY, PONNANI P.O,  
MALAPPURAM DISTRICT, PIN - 679577.
- 9 CHIEF SECRETARY, GOVERNMENT OF KERALA,  
GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001.

BY ADVS SRI.C.V.MANUVILSAN  
SRI.P.S.APPU, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR  
ADMISSION ON 20.12.2023, ALONG WITH WP(C).20255/2022 AND  
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

WEDNESDAY, THE 20<sup>TH</sup> DAY OF DECEMBER 2023 / 29TH

AGRAHAYANA, 1945

WP(C) NO. 20430 OF 2022

PETITIONER:

UBAIDULLA T K, AGED 57 YEARS,  
VALIYA VEETIL (H), VAZHAKKAD PO,  
MALAPPURAM, PIN- 673 640.

BY ADVS.  
JACOB P.ALEX  
JOSEPH P.ALEX  
MANU SANKAR P.  
AMAL AMIR ALI  
RUTH K. ABY

RESPONDENTS:

- 1 STATE OF KERALA  
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY,  
DEPARTMENT OF LOCAL SELF GOVERNMENT,  
GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN -695 001.
- 2 ADDITIONAL CHIEF SECRETARY,  
DEPARTMENT OF FINANCE, GOVT. OF KERALA,  
GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN -695 001.
- 3 CHIEF ENGINEER,  
LOCAL INFRASTRUCTURE DEVELOPMENT AND  
ENGINEERING WING OF LSGD, 5TH FLOOR,  
SWARAJ BHAVAN, NANTHANCOD, KOWDIAR PO,  
THIRUVANANTHAPURAM, PIN- 695003.

- 4 EXECUTIVE ENGINEER,  
OFFICE OF EXECUTIVE ENGINEER,  
LID & EW DIVISION, MALAPPURAM,  
CIVIL STATION, MALAPPURAM, PIN -676 505.
- 5 ASSISTANT EXECUTIVE ENGINEER,  
OFFICE OF ASSISTANT EXECUTIVE ENGINEER (LSGD),  
PONNANI BLOCK, EDAPPAL, MALAPPURAM,  
PIN- 679576.
- 6 ASSISTANT ENGINEER,  
PONNANNI MUNICIPALITY, PONNANI PO,  
MALAPPURAM DISTRICT, PIN -679 577.
- 7 PONNANI MUNICIPALITY,  
REPRESENTED BY ITS SECRETARY, PONNANI PO,  
MALAPPURAM DISTRICT, PIN- 679 577.
- 8 SECRETARY,  
PONNANI MUNICIPALITY, PONNANI PO,  
MALAPPURAM DISTRICT, PIN -679 577.
- 9 CHIEF SECRETARY, GOVERNMENT OF KERALA,  
GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN -695 001.

BY ADV.SRI.C.V.MANUVILSAN,  
SRI.P.S.APPU, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR  
ADMISSION ON 20.12.2023, ALONG WITH WP(C).20255/2022 AND  
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

WEDNESDAY, THE 20<sup>TH</sup> DAY OF DECEMBER 2023 / 29TH

AGRAHAYANA, 1945

WP(C) NO. 20385 OF 2022

PETITIONER:

UBAIDULLA T K, AGED 57 YEARS,  
VALIYA VEETIL (H), VAZHAKKAD PO,  
MALAPPURAM, PIN -673 640.

BY ADVS.JACOB P.ALEX  
JOSEPH P.ALEX  
RUTH K. ABY  
MANU SANKAR P.  
AMAL AMIR ALI

RESPONDENTS:

- 1 STATE OF KERALA,  
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY,  
DEPARTMENT OF LOCAL SELF GOVERNMENT,  
GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN -695 001.
- 2 ADDITIONAL CHIEF SECRETARY,  
DEPARTMENT OF FINANCE, GOVT. OF KERALA,  
GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN -695 001.
- 3 CHIEF ENGINEER,  
LOCAL INFRASTRUCTURE DEVELOPMENT AND  
ENGINEERING WING OF LSGD, 5TH FLOOR,  
SWARAJ BHAVAN, NANTHANCOD, KOWDIAR PO,  
THIRUVANANTHAPURAM, PIN- 695003.
- 4 EXECUTIVE ENGINEER,

OFFICE OF EXECUTIVE ENGINEER,  
LID & EW DIVISION, MALAPPURAM,  
CIVIL STATION, MALAPPURAM, PIN- 676 505.

- 5 ASSISTANT EXECUTIVE ENGINEER,  
OFFICE OF ASSISTANT EXECUTIVE ENGINEER (LSGD),  
PONNANI BLOCK, EDAPPAL,  
MALAPPURAM, PIN -679576.
- 6 ASSISTANT ENGINEER,  
PONNANNI MUNICIPALITY, PONNANI PO,  
MALAPPURAM DISTRICT, PIN- 679 577.
- 7 PONNANI MUNICIPALITY,  
REPRESENTED BY ITS SECRETARY, PONNANI PO,  
MALAPPURAM DISTRICT, PIN -679 577.
- 8 SECRETARY, PONNANI MUNICIPALITY,  
PONNANI PO, MALAPPURAM DISTRICT, PIN -679 577.
- 9 CHIEF SECRETARY, GOVERNMENT OF KERALA,  
GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN-695001.

BY ADVS.SRI.P.S.APPU, GP  
SRI.C.V.MANUVILSAN (B/O)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR  
ADMISSION ON 20.12.2023, ALONG WITH WP(C).20255/2022 AND  
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:



**JUDGMENT**

[WP(C) Nos.20255/2022, 20537/2022, 20430/2022,  
20385/2022]

There is hardly any controversy in these matters because, against the claim of the petitioner for payment of his Final Bill qua certain works he has already completed for the Ponnani Municipality and with respect to the Part Bills qua certain other works for the said Municipality, Sri.C.V.Manuvilsan - learned Standing Counsel for the said Authority, says that all such have been forwarded to the Chief Engineer of the Block Panchayat. He added that, once the said Authority verifies the bills and allots the funds, his client will be able to disburse the eligible amounts, both under the Final Bill and Part Bills, to the petitioner.

2. Sri.P.S.Appu - learned Government Pleader, submitted that, as per the procedure,

once the Chief Engineer approves the bills, it will have to be placed before the competent Authority of the Government for allotment of funds; and that this will take some time, particularly because it will have to be verified properly.

Taking note of the afore submissions and since, as I have already said above, there is hardly any controversy impelled by the Municipality against the petitioner's bills, I deem it necessary to allow this writ petition in the following directions:

(a) The official respondents will ensure that the eligible amounts of the petitioner against his Final Bill, as also the Part Bills - as are admissible to him, are disbursed to him, as expeditiously as is possible, but not later than four months from the date of receipt of a copy of this judgment.

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(b) The petitioner will be at liberty to make an appropriate application before the competent Authority to avail the 'Bill Discounting Facility', along with his bank details; and if this is done within a period of two weeks from the date of receipt a copy of this judgment, same will be acceded to by the said Authority, if he is found eligible, so that he can obtain the fruits of the bills without having to wait for the afore period.

Sd/-

DEVAN RAMACHANDRAN

JUDGE

akv

APPENDIX OF WP(C) 20537/2022

PETITIONER EXHIBITS

EXHIBIT P1	TRUE COPY OF THE GO(RT) NO. 168/2019/LSGD DATED 26.01.2019.
EXHIBIT P2	TRUE COPY OF THE NOTICE INVITING TENDER NO. PNI/04/2020-21 DATED 25.09.2020 ISSUED BY THE 6TH RESPONDENT.
EXHIBIT P3	TRUE COPY OF THE BID ACKNOWLEDGEMENT RECEIPT RECEIVED BY THE PETITIONER.
EXHIBIT P4	TRUE COPY OF THE SELECTION NOTICE NO. E1-1285/20 DATED 22.10.2020 ISSUED BY THE 6TH RESPONDENT.
EXHIBIT P5	TRUE COPY OF THE AGREEMENT BEARING NO. 127/2021 DATED 03.11.2020 EXECUTED BETWEEN PETITIONER AND 6TH RESPONDENT.
EXHIBIT P6	TRUE COPY OF THE RELEVANT PAGES OF THE 1ST PART BILL DATED 04.02.2021
EXHIBIT P7	TRUE COPY OF THE LETTER DATED 04.02.2022 ISSUED TO THE 8TH RESPONDENT.
EXHIBIT P7 (A)	TRUE COPY OF THE LETTER DATED 18.03.2022 ISSUED TO THE 8TH RESPONDENT.
EXHIBIT P7 (B)	TRUE COPY OF THE LETTER DATED 21.04.2022 ISSUED TO THE 8TH RESPONDENT.

RESPONDENT ANNEXURES

ANNEXURE R (A)	THE TRUE COPY OF THE WRITTEN DECLARATORY STATEMENT DULY SIGNED BY
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WP(C) Nos.20255/2022, 20537/2022,  
20430/2022, 20385/2022

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THE PRESENT SECRETARY OF THE PONNANI  
MUNICIPALITY IS RECEIVED BY THE  
STANDING COUNSEL IS PRODUCED HERewith  
AND MARKED AS ANNEXURE R8 (A)

APPENDIX OF WP(C) 20430/2022

PETITIONER EXHIBITS

EXHIBIT P1	TRUE COPY OF THE GO (RT) NO. 168/2019/LSGD DATED 26-01-2019.
EXHIBIT P2	TRUE COPY OF THE NOTICE INVITING TENDER NO. PNI/04/2020-21 DATED 25-09- 2020 ISSUED BY THE 6TH RESPONDENT.
EXHIBIT P3	TRUE COPY OF THE BID ACKNOWLEDGEMENT RECEIPT RECEIVED BY THE PETITIONER.
EXHIBIT P4	TRUE COPY OF THE SELECTION NOTICE NO. E1-12785/20 DATED 15-10-2020 ISSUED BY ISSUED BY THE 6TH RESPONDENT.
EXHIBIT P5	TRUE COPY OF THE AGREEMENT BEARING NO. 129/20-21 DATED 03-11-2020 EXECUTED BETWEEN PETITIONER AND 6TH RESPONDENT.
EXHIBIT P6	TRUE COPY OF THE RELEVANT PAGES OF THE C.C 1ST AND FINAL BILL ALONG WITH COVERING LETTER OF THE 4TH RESPONDENT DATED 09-03-2021.
EXHIBIT P7	TRUE COPY OF THE LETTER DATED 04-02- 2022 ISSUED TO THE 8TH RESPONDENT.
EXHIBIT P7 (A)	RUE COPY OF THE LETTER DATED 18-03- 2022 ISSUED TO THE 8TH RESPONDENT.
EXHIBIT P7 (B)	TRUE COPY OF THE LETTER DATED 21-04- 2022 ISSUED TO THE 8TH RESPONDENT.

APPENDIX OF WP(C) 20385/2022

PETITIONER EXHIBITS

EXHIBIT P1	TRUE COPY OF THE GO (RT) NO.168/2019/LSGD DATED 26-01-2019.
EXHIBIT P2	TRUE COPY OF THE NOTICE INVITING TENDER NO. PNI/04/2020-21 DATED 25-09- 2020 ISSUED BY THE 6TH RESPONDENT.
EXHIBIT P3	TRUE COPY OF THE BID ACKNOWLEDGEMENT RECEIPT RECEIVED BY THE PETITIONER.
EXHIBIT P4	TRUE COPY OF THE SELECTION NOTICE NO. E1-12803/20 DATED 15-10-2020 ISSUED BY THE 6TH RESPONDENT .
EXHIBIT P5	TRUE COPY OF THE AGREEMENT BEARING NO. 128/20-21 DATED 03-11-2020 EXECUTED BETWEEN PETITIONER AND 6TH RESPONDENT.
EXHIBIT P6	TRUE COPY OF THE LETTER DATED 04-02- 2022 ISSUED TO THE 8TH RESPONDENT.
EXHIBIT P6 (A)	TRUE COPY OF THE LETTER DATED 18-03- 2022 ISSUED TO THE 8TH RESPONDENT.
EXHIBIT P6 (B)	TRUE COPY OF THE LETTER DATED 21-04- 2022 ISSUED TO THE 8TH RESPONDENT.

APPENDIX OF WP(C) 20255/2022

PETITIONER EXHIBITS

EXHIBIT P1	TRUE COPY OF THE GO (RT) NO. 168/2019/LSGD DATED 26-01-2019
EXHIBIT P2	TRUE COPY OF THE NOTICE INVITING TENDER NO. PN1/04/2020-21 DATED 25-09- 2020 ISSUED BY THE 6TH RESPONDENT
EXHIBIT P3	TRUE COPY OF THE BID ACKNOWLEDGEMENT RECEIPT RECEIVED BY THE PETITIONER
EXHIBIT P4	TRUE COPY OF THE SELECTION NOTICE DATED 15-10-2020 ISSUED BY THE 6TH RESPONDENT
EXHIBIT P5	TRUE COPY OF THE AGREEMENT BEARING NO. 127/2021 DATED 03-11-2020 EXECUTED BETWEEN PETITIONER AND 6TH RESPONDENT
EXHIBIT P6	TRUE COPY OF THE LETTER DATED 04-02- 2022 ISSUED TO THE 8TH RESPONDENT
EXHIBIT P6 A	TRUE COPY OF THE LETTER DATED 18-03- 2022 ISSUED TO THE 8TH RESPONDENT
EXHIBIT P6 B	TRUE COPY OF THE LETTER DATED 21-04- 2022 ISSUED TO THE 8TH RESPONDENT