

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

THURSDAY, THE 8TH DAY OF FEBRUARY 2024 / 19TH MAGHA, 1945

WP(C) NO. 18825 OF 2015

PETITIONER:

T K JAYARAJAN
AGED 41 YEARS
S/O.KRISHNAN, THATTANPARAMBIL HOUSE, P.O
ERAVIMANGALAM, POOCHETTY DESAM, ERAVIMANGALAM
VILLAGE, THRISSUR TALUK, THRISSUR DISTRICT.
BY ADVS.
SRI.P.G.SURESH
SRI.V.HARISH
SRI.RAJAN VISHNURAJ
SRI.G.SUDHEER THURAVOOR

RESPONDENTS:

- 1 THE REGIONAL TRANSPORT AUTHORITY,
THRISSUR
P.O AYYANTHOLE, THRISSUR,
THRISSUR DISTRICT, 680 003.
 - 2 THE NADATHARA GRAMA PANCHAYAT
REPRESENTED BY ITS SECRETARY, NADATHARA GRAMA
PANCHAYATH OFFICE, MOORKKANIKKARA, P.O
KOZHUKKUTTY, THRISSUR DISTRICT, 680 752.
- ADDL.R3 THE CIRCLE INSPECTOR OF POLICE
CIRCLE OFFICE, OLLUR POLICE STATION,
THRISSUR DISTRICT - 680 806.

IS IMPEADED AS ADDL.R3 AS PER ORDER DATED 28.7.15
IN IA 10574/15.

BY ADVS.
SRI.A.R.NIMOD
SRI.T.C.SURESH MENON
SRI RIYAL DEVASSY, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08.02.2024, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

P.V.KUNHIKRISHNAN, J.

W.P.(C).No.18825 of 2015

Dated this the 08th day of February, 2024

JUDGMENT

This writ petition is filed with following prayers:

- i. Declare that the autorikshaw stand, which is functioning in front of the shop of the Petitioner by obstructing the pedestrians, evidently without obtaining legal sanctions and statutory permissions from the statutory authorities, is illegal and violative of Sections 227 and 228 of the Kerala Panchayat Raj Act.
- ii. Issue a writ of mandamus or any other appropriate writ directing the Respondents to take action against the illegal parking of the Auto Taxi vehicles and using as Taxi Stand there at Poochetty Centre in front of the shop of the Petitioner without any further delay.
- iii. Issue a writ of mandamus or any other appropriate writ directing the 1st Respondent to consider and take an action on Exhibit P4 Complaint preferred by the Petitioner, at the earliest, by affording a reasonable opportunity of being heard to the Petitioner or his authorized

representative, at the earliest.

- iv. Pass such any other order, relief or direction as this Hon'ble Court may deem fit in the interest of justice, equity and good conscience.

(SIC)

2. When this writ petition came up for consideration on 23.06.2015, this Court passed the following order:

“The learned G.P. takes notice for R1. Issue notice to R2 by speed post.

Respondents 1 & 2 shall ensure that the ingress and egress to the petitioner's shop building shall not be obstructed on account of illegal parking of the vehicles.”

3. In the light of the above order, no further orders are necessary.

This writ petition is disposed of recording the order dated 23.06.2015.

JV

sd/-
P.V.KUNHIKRISHNAN
JUDGE

APPENDIX OF WP(C) 18825/2015

PETITIONER EXHIBITS

EXHIBIT P1. COPY OF THE LATEST LICENSE ISSUED BY THE 2ND RESPONDENT GRAMA PANCHAYAT TILL 31.3.16 TO THE PETITIONER.

EXHIBIT P2. COPY OF THE PHOTOGRAPH SHOWING THE NATURE AND THE WAY OF PARKING IN FRONT OF THE SHOP OF THE PETITIONER.

EXHIBIT P3. COPY OF THE COMMUNICATION DATED 8.6.15 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER ALONG WITH THE APPLICATION SUBMITTED BY HIM UNDER RIGHT TO INFORMATION ACT.

EXHIBIT P4. COPY OF THE PETITION FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DATED 9.6.15.