

IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT

THE HONOURABLE MR.JUSTICE GOPINATH.P.

FRIDAY, THE 15<sup>TH</sup> DAY OF MAY, 2020/25<sup>TH</sup> VAISAKHA, 1942

W.P(C) NO.7429 OF 2020

PETITIONER

SAJU VARGHESE KOITHARA,  
SON OF LATE K.J.VARGHES,  
AGED 67 YEARS,  
PRESIDENT, KARUMALLOOR ALANGAD RESIDENTS  
MEKHALA ASSOCIATION (KARMA) KARMA- KONGORPILLY DIVISION  
(AFFILIATED TO ERNAKULAM DISTRICT RESIDENTS ASSOCIATION  
APEX COUNCIL REG. NO. 735/2003) KONGORPILLY- 683518

BY ADV. SRI.N.K.SUBRAMANIAN.....

RESPONDENTS

1. ALANGAD GRAMA PANCHAYATH,  
NEERIKKODE P.O., KOCHI- 683 511  
REPRESENTED BY ITS SECRETARY.
2. THE SECRETARY, ALANGAD GRAMA PANCHAYATH  
NEERIKKODE P.O., KOCHI- 683 511
3. DISTRICT FIRE OFFICER, FIRE AND RESCUE SERVICES,  
GANDHINAGAR, ERNAKULAM- 682 011
4. SIBI MATHEW, AGED 43 YEARS, S/O. MATHEW,  
MOOLANVEETIL, KONGORPILLY KARAYIL, ALANGAD VILLAGE,  
KONGORPILLY P.O, NORTH PARAVUR, ERNAKULAM- 683 525
5. MANIKUTTY, AGED 36 YEARS, W/O. SIBI MATHEW,  
MOOLANVEETIL, KONGORPILLY KARAYIL ALANGAD VILLAGE,  
KONGORPILLY P.O, NORTH PARAVUR, ERNAKULAM- 683 525

R1-2 BY

R3 BY GOVERNMENT PLEADER SRI.K.P.HARISH

R4-5 BY

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON 15.05.2020,  
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**Dated this the 15th day of May, 2020**

**I.A.No.1 of 2020  
in  
W.P. (C)NO.7429 of 2020**

**ORDER**

This is an application filed by a third party for getting himself impleaded as the additional 6th respondent in the above writ petition. The petitioner in the I.A states that he represents the interest of the residents association. Sri.Babu Karukapadath, the learned counsel for the petitioner strongly opposes the application for impleading. He states that there are several wrong and incorrect statements in the affidavit in support of the above I.A. However, considering the facts and circumstances of the case, I am inclined to allow this application for impleading making it clear that the writ petitioner is free to object

all statements/averments in the affidavit in support of the application for impleaing at a later stage of the proceedings.

Post on 21.5.2020.

**GOPINATH.P, JUDGE**

pm

APPENDIX

PETITIONERS EXTS:

EXHIBIT P-1:- A TRUE COPY OF THE TAX RECEIPTS WITH RESPECT TO THE SAID PROPERTIES DATED 03/05/2019.

EXHIBIT P-2:- A TRUE COPY OF THE LOCATION SKETCH OF THE PROPERTY IN QUESTION, BELONGING TO THE PETITIONERS.

EXHIBIT P-3: TRUE COPY OF THE PHOTOGRAPHS OF THE PROPERTY OF THE PETITIONERS AND THE TWO STORIED BUILDING OF MORE THAN 80 YEARS OLD SITUATED THEREIN, TILL ITS DEMOLITION IN THE YEAR 2019

EXHIBIT P4: A TRUE COPY OF THE BUILDING PERMIT DATED 03/06/2014 ISSUED IN FAVOUR OF THE 1ST PETITIONER.

EXHIBIT P-5: A TRUE COPY OF THE BUILDING PERMIT DATED 23/07/2018 ISSUED BY THE 1ST RESPONDENT PANCHAYATH FOR G EFFECTING A NEW CONSTRUCTION IN THE PROPERTY IN QUESTION.

EXHIBIT P-6:- . A TRUE COPY OF THE STOP MEMO DATED 30/04/2019 ISSUED BY THE 1ST RESPONDENT TO THE 1ST PETITIONER 20 DIRECTING TO DEMOLISH THE PARTS OF THE OLD BUILDING STANDING IN A DANGEROUS SITUATION.

EXHIBIT P-7:- A TRUE COPY OF THE NOTICE DATED 03/05/2019 21-22 ISSUED BY THE 2ND RESPONDENT TO THE 1ST PETITIONER.

EXHIBIT P-8:- A TRUE COPY OF THE REPORT DATED 02/11/2019 OF THE TAHAŞILDAR, PARAVUR GIVEN TO THE 2ND RESPONDENT SHOWING THAT THERE IS NO ENCROACHMENT TO THE ROAD WHILE THE CONSTRUCTIONS ARE AFFECTED BY THE PETITIONERS IN PURSUANCE TO EXHIBIT P5 BUILDING PERMIT.

EXHIBIT P-9:- A TRUE COPY OF THE SKETCH PREPARED BY THE TALUK  
24 SURVEYOR WITH RESPECT TO THE PROPERTY OF THE PETITIONERS.

EXHIBIT P-10:- A TRUE COPY OF THE NOTICE DATED 03/09/2019  
ISSUED BY THE 2ND RESPONDENT TO THE 1° PETITIONER DIRECTING TO  
PRODUCE FIRE NOC FROM THE 3RD RESPONDENT.

EXHIBIT P-11:- A TRUE COPY OF THE LETTER DATED 25/02/2020 OF  
THE 2ND RESPONDENT FORWARDING THE APPLICATION DATED 26  
23/12/2019 TO THE 3RD RESPONDENT  
10.

RESPONDENTS EXHIBITS: NIL