

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH.P.

TUESDAY, THE 12TH DAY OF MAY, 2020/22ND VAISAKHA, 1942

W.P(C) NO.9751 OF 2020

PETITIONERS

1. SHINOJ CKACKO,
ATHOPPALLIL HOUSE,
ODAYAMCHAL, PADIMARUTHU P.O,
KASARAGOD DISTRICT. PIN-671531.

2. IBRAHIM HAJI MOHAMMED,
NAIKARRILLATHUHOUSE ,
PADIMARUTHUP.O, ODAYAMCHAL,
KASARAGOD DISTRICT, PIN-671531.

BY ADVS. SRI. SUBHASH SYRIAC (K/407/92)
SRI. SHEEBAJOSEPH (K/11/93)

RESPONDENTS.

1. KODOM- BELURGRAMAPANCHAYAT,
ATTENGANAM, ATTENGANAM P.O,
KASARAGOD DISTRICT, PIN-671531
REPRESENTED BY ITS SECRETARY.

2. PUBLIC WORKS DEPARTMENT ,
ROAD SECTION
REPRESENTED BY IT'S THE ASSISTANT ENGINEER,
WEST ELERI SECTION, BEEMANADY.P, .O.,
KASARAGODE-671314.

3. DEMOCRATIC YOUTH FEDERATION OF INDIA,
BELUR AREA COMMITTEE, BELUR,
KASARAGODE DISTRICT, PIN-671531
REPRESENTED BY ITS LOCAL SECRETARY,
REGHUNATHAN, KAVILVEEDU,
ATTENGANAM.P.O, KASARAGODE -671531

R1-

R2 BY SRI. GOVERNMENT PLEADER SMT.VINITHA

R3 BY

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON 12.05.2020,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

This writ petition is filed on the complaint that a bridge over the Odayamchal - Aladukkam thodu which was the only access for the petitioner to the PWD road has been demolished to enable free flow of water through the thodu. The petitioner submits that the bridge was constructed with the permission of authorities concerned during 2009 and that he is ready and willing to bear the expenses for construction of a new bridge for which estimate and plan has already been submitted before the second respondent. The petitioner apprehends that any delay in obtaining permission from the relevant officers of the Public Works Department would result in a situation where the work on the bridge cannot be completed before the onset of monsoon. When this matter was came up

for consideration on 8.5.2020, I directed the Govt. Pleader to obtain instructions. Today, the learned Govt. Pleader would submits that the plan and estimate submitted by the petitioner for construction of a new bridge has been forwarded to the Executive Engineer, Roads Division, west Eleri, Kasargod and that it is pending for approval. In the facts and circumstances of the case, I direct the Executive Engineer, Roads Division, West Eleri Section, Kasargod to take up the proposal submitted by the petitioner and grant sanction to the petitioner to construct the bridge subject to such conditions that he may feel appropriate to impose within a period of ten days from today.

This writ petition stands disposed of as above.

GOPINATH . P

W.P(C) NO.9751 OF 2020

4

JUDGE

PM

APPENDIX

PETITIONERS EXHIBITS.

EXT.P1 TRUE COPY OF THE NOTICE ISSUED BY THE 1ST
RESPONDENT TO THE 1ST PETITIONER DATED 05-09-2020.

EXT.P2. TRUE COPY OF THE REPLY SENT BY THE LAWYER OF THE 1ST
PETITIONER TO EXT.P1 DATED 10-09-2019

EXT.P3. TRUE COPY OF THE NOTICE ISSUED BY THE 2ND
RESPONDENT TO THE 1ST PETITIONER DATED 22-10-2019

EXT.P4. TRUE COPY OF THE REPLY SENT THROUGH ADVOCATE TO EXTP3
DATED 28-10-20

EXT.P5 TRUE COPY OF THE APPLICATION FOR PERMISSION SUBMITTED
BEFORE THE 2ND RESPONDENT BY THE PETITIONERS
DATED 10-12-2019

EXT.P6. TRUE COPY OF THE ESTIMATE PREPARED BY MR. MATHEW
JOHN. 7.EXT.P7. TRUE COPY OF THE QUOTATION NOTICE DATED 27-
04-20 ISSUED BY THE 1ST RESPONDENT

RESPONDENTS EXHIBITS : NIL
DATED 10-12-2019

EXT.P6. TRUE COPY OF THE ESTIMATE PREPARED BY MR. MATHEW
JOHN. 7.EXT.P7. TRUE COPY OF THE QUOTATION NOTICE DATED 27-
04-20 ISSUED BY THE 1ST RESPONDENT