

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE V.G.ARUN

THURSDAY, THE 5TH DAY OF MAY 2020 / 15TH VAISAKHA, 1942

W.P(C)TMP.NO.195 OF 2020

PETITIONERS :

1. Kannur Jilla Crusher Quarry Association,  
Sreekandapuram Meghala, Sreekandapuram P.O,  
Sreekandapuram, Kannur- 670631 represented by its  
President, Anil K Joseph
2. Anil K. Joseph s/o Joseph, Kuzhithodu House,  
Chembamthodi, Karayathumchal, Kannur, Pin- 670 631
3. Jilson Joseph, years, S/o Joseph, Veliyathil House,  
Pulikurumba P O, Naduvil, Kannur District, Pin- 670 582
4. Saneesh, Manasam, Vaduvankulam, Kuttiyattoor P O,  
Kannur- 670 602
5. Javid E P, , Shanthi Mahal, Chekkikulam P O, Kannur  
District, Kannur- 670 592.
6. Mathai V A, , Velikkakath House, Payattuchal, Chemperi  
PO, Kannur- 670 632.
7. K T Ziyad, Malabar Villa, Pattuvam P O, Kannur- 670143.
8. Cyril Jose, S/o. Jose George, aged 37 years, Managing  
partner, Sampath Crushers Pvt. Ltd., Nediyanaga P.O,  
Kannur District-670 631, residing at Kizhakkeyil House,  
Mattannur College P.O., Kannur District - 670 702,

By Advs. Sri.Alex M. Scaria

Saritha Thomas

RESPONDENTS

1. State of Kerala, Represented by Secretary to Department of Local Self Government Institution, Secretariat, Government Press P O, Thiruvananthapuram- 695 001
2. Secretary to Law Department, Government Secretariat, Government Press P O, Thiruvananthapuram- 695 001
3. The Sreekandapuram Municipality, Represented by its Secretary, Kannur -670631.
4. The Secretary, Sreekandapuram Municipality, Kannur - 670631.

BY GOVT.PLEADER SMT.DIVYA C.BALAN

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON 05.05.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V.G.ARUN, J.**

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**W.P(C) TMP.No. 195 of 2020**  
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**Dated this the 5<sup>th</sup> day of May, 2020.**

**ORDER**

Heard Sri.George Poonthottam, the learned Senior Counsel appearing for the petitioners and Sri.Jayakumar Namboothiri, the learned counsel appearing for respondents 3 and 4.

2. I am prima facie convinced that Section 567 of the Kerala Municipality Act does not empower the 3<sup>rd</sup> respondent Municipality to frame bye-laws in the nature of Exhibit P1 and take consequent decision as in Exhibit P2. In such circumstances, the petitioners are entitled for an interim order.

The operation of Exhibit P1 and clauses 13 and 14 of Exhibit P2 shall stand stayed for a period of two months.

**V.G.ARUN  
JUDGE**

*vgs*