



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 5TH DAY OF MARCH 2025 / 14TH PHALGUNA, 1946

WP(C) NO. 40691 OF 2024

PETITIONER:

VINOD K R
AGED 52 YEARS
S/O. N. RADHAKRISHNA MENON,
44/2967- A7, 2ND FLOOR, KAROLLIL
‘SREEVALSAM',
THAMMANAM- PULLEPADY ROAD,
THAMMANAM P.O., ERNAKULAM DISTRICT,
PIN - 682032

BY ADV K.M.SATHYANATHA MENON

RESPONDENTS:

- 1 THE MEMBER SECRETARY
KERALA ROAD FUND BOARD/ PRINCIPAL SECRETARY TO
GOVERNMENT, PUBLIC WORKS DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM,
PIN - 695001
- 2 THE KERALA ROAD FUND BOARD
T. C. 27/284, SPORTS COMPLEX,
CHANDRASEKHARAN NAIR STADIUM,
PALAYAM, TRIVANDRUM
REPRESENTED BY ITS MEMBER SECRETARY,
PIN - 695033
- 3 THE CHIEF ENGINEER
PUBLIC WORKS DEPARTMENT,
ROADS & BRIDGES, THIRUVANANTHAPURAM,
PIN - 695033



4 THE EXECUTIVE ENGINEER,
OFFICE OF THE EXECUTIVE ENGINEER,
KRFB - PMU, ERNAKULAM/ THRISSUR UNIT
2ND FLOOR, PWD COMPLEX,
MAMANGALAM EDAPALLY,
ERNAKULAM, PIN - 682024

BY ADV E.C.BINEESH
SMT. DEEPA NARAYANAN. SR. GP.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 05.03.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



T.R. RAVI, J.

W.P.(C). No. 40691 of 2024

Dated this the 5th day of March, 2025

JUDGMENT

The writ petition has been filed being aggrieved by Exts.P6 and P8, whereby the respondents have rejected the request of the petitioner for varying the design/alignment of the Thammanam - Pulleppady road and to ensure that the parking space provided in front of the petitioner's building is not affected by the acquisition.

2. In Ext.P8, it is stated that the suggestion made by the petitioner is not scientifically feasible. Admittedly, the acquisition process has not yet started and even the social impact assessment study has not begun. There is no certainty that the petitioner's property will even be acquired. The Statute provides opportunities to the petitioner to raise his apprehensions at the stage of social impact study as well as in subsequent stages. Even though Ext.P8 says that the land is acquired by giving proper compensation, the fact remains that



land has not been acquired and not even a notification for acquisition has been issued so far.

In the above circumstances, this writ petition is disposed of reserving the right of the petitioner to challenge the proceedings as and when the acquisition proceedings are initiated and also to raise his grievance at the stage of the social impact study and Exts.P6 and P8 shall not in any manner affect such rights of the petitioner.

Sd/-
T.R. RAVI,
JUDGE

S.M.K.



APPENDIX OF WP(C) 40691/2024

PETITIONER'S EXHIBITS

- | | |
|-------------|---|
| EXHIBIT P1 | A TRUE COPY OF THE TAX RECEIPT DATED 16.05.2024 ISSUED IN FAVOUR OF THE PETITIONER BY THE VILLAGE OFFICER, POONITHURA |
| EXHIBIT P2 | A TRUE COPY OF THE SKETCH OF THE PETITIONER'S BUILDING, PROPERTY |
| EXHIBIT P3 | A TRUE COPY OF THE RELEVANT PAGE OF ‘THE TIMES OF INDIA' DATED 27.8.2024 |
| EXHIBIT P4 | A TRUE COPY OF THE RELEVANT PAGE OF THE 'TIMES OF INDIA' DATED 2.7.2023 |
| EXHIBIT P5 | A TRUE COPY OF THE EMAIL DATED 6.10.2024 SEND TO THE 4TH RESPONDENT BY THE PETITIONER |
| EXHIBIT P6 | A TRUE COPY OF THE REPLY DATED 16.10.2024 SEND BY THE 4TH RESPONDENT TO THE PETITIONER |
| EXHIBIT P7 | A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENTS HEREIN DATED 22.10.2024 BY REGISTERED POST WITH ACKNOWLEDGMENT DUE |
| EXHIBIT P8 | A TRUE COPY OF THE COMMUNICATION ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER DATED 11.11.2024 |
| EXHIBIT P9 | A TRUE COPY OF THE PLAN PREPARED BY SPREADS SURVEY DEPICTING THE ROAD MEASUREMENT AS PER STONE TO STONE LAID BY KERALA ROAD FUND BOARD |
| EXHIBIT P10 | A TRUE COPY OF THE PLAN PREPARED BY SPREADS SURVEY DEPICTING THE ROAD |



MEASUREMENT AS PER STONE TO STONE LAID BY
KERALA ROAD FUND BOARD WITH BOUNDARY
WALLS

EXHIBIT P11

A TRUE COPY OF THE PLAN PREPARED BY
SPREADS SURVEY DEPICTING THE ROAD
MEASUREMENT AS PER STONE TO STONE LAID BY
KERALA ROAD FUND BOARD AS SUGGESTED BY
THE PETITIONER

EXHIBIT P12

A TRUE COPY OF ANOTHER PLAN PREPARED BY
SPREADS SURVEY DEPICTING THE ROAD
MEASUREMENT AS PER STONE TO STONE LAID BY
KERALA ROAD FUND BOARD AS SUGGESTED BY
THE PETITIONER SHOWING BOUNDARY WALL

EXHIBIT P13

A TRUE COPY OF THE TAX INVOICE DATED
14.01.2025 REMITTED TOWARDS LAND SURVEY
CHARGES

EXHIBIT P14

A TRUE COPY OF THE PHOTOGRAPH OF MPM
ENGLISH MEDIUM HIGHER SECONDARY SCHOOL,
THAMMANAM

EXHIBIT P15

A TRUE COPY OF THE SPEED LIMIT PUBLISHED
BY THE MOTOR VEHICLE DEPARTMENT,
GOVERNMENT OF KERALA