

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:

THE HONOURABLE MR. JUSTICE A. MUHAMED MUSTAQUE

Tuesday, the 29th day of May 2018/8th Jyaishta, 1940

WP(C) No. 17377/2018(V)

PETITIONERS:-

1. V. PRABHAKARAN, AGED 65 YEARS, S/O. RAMANKUTTY, VEETTIKKAD (H),  
CHUNDEL P.O., WAYANAD-673 123.
2. SHAMEER P.K., AGED 31 YEARS, S/O. KUNJIMUHAMMED, PUTHAN VEEDU,  
CHUNDEL P.O., WAYANAD-673 123.
3. V.N. SHANMUKHAN NAIR, AGED 59 YEARS, S/O. NARAYANAN NAIR,  
VAYYATTE HOUSE, KUNJANGODE, CHUNDEL P.O., PIN-673 123.
4. SEYD P., AGED 48 YEARS, S/O. ABDU RAHMAN, NASEEYATH HOUSE,  
CHUNDEL P.O., WAYANAD-673 123.
5. SAHIRA K.T., AGED 45 YEARS, D/O. ADRU, NASIATH MANZIL,  
CHUNDEL, WAYANAD-673 123.

RESPONDENTS:-

1. NATIONAL HIGHWAY AUTHORITY,  
KOZHIKODE REPRESENTED BY THE EXECUTIVE ENGINEER,  
PWD NH DIVISION, PWD COMPLEX, MANANCHIRA, KOZHIKODE-673 001.
2. ASSISTANT EXECUTIVE ENGINEER, NATIONAL HIGHWAY, SUB DIVISION,  
KODUVALLY-673 572.
3. THE UNION OF INDIA REPRESENTED BY THE CHIEF SECRETARY,  
NEW DELHI-110 001.
4. STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.
5. THE CHIEF EXECUTIVE ENGINEER,  
PUBLIC WORKS DEPARTMENT, GOVERNMENT OF KERALA,  
THIRUVANANTHAPURAM-695 001.

Writ Petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to stay the operation and implementation of Exhibit P1 notice as far as the petitioners are concerned and all further eviction proceedings pursuant thereto pending disposal of this writ petition.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/s. E. NARAYANAN, K.K. PREETHA & R.K. PRASANTH, Advocates for the petitioners, the Court passed the following:

Sn/4

SPD

(P.T.O.)

**A. MUHAMED MUSTAQUE, J.**

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W.P. (C) No.17377 of 2018  
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Dated this the 29<sup>th</sup> day of May, 2018

**ORDER**

It is pointed out by the learned Standing Counsel for the National Highway Authority that the 1<sup>st</sup> respondent is an unnecessary party.

The petitioners shall take appropriate steps. The petitioners shall implead the local authority in the party array.

Post on 04.06.2018. In the meanwhile, if the petitioners had not been evicted so far, status quo as on today as far as the petitioners shall be maintained for one week.

Sd/- A.MUHAMED MUSTAQUE, JUDGE

/true copy/

*AM*  
29/5/18  
ASSISTANT REGISTRAR

*29/5/18*

*smp*  
29/5/18

smp

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