

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN**

Wednesday, the 9th day of October 2024 / 17th Aswina, 1946
WP(C) NO. 22750 OF 2018

PETITIONER:

ST. STEPHEN'S MALANKARA CATHOLIC CHURCH, KATTANAM VILLAGE,
BHARANICKAVU, ALAPPUZHA, REPRESENTED BY ITS TRUSTEE SILVY GEORGE,
AGED 48 YEARS, S/O GEORGE, MANKAVIL, KATTANAM VILLAGE, BHARANICKAVU,
ALAPPUZHA.

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY THE PRINCIPAL SECRETARY, PUBLIC WORKS DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. AND 23 OTHERS

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 direct the 5th and 6th respondents to forthwith consider and pass orders on Exhibits P6 and P3 representations, pending the final disposal of this writ petition.

This petition again coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and this Court's order dated 01.10.2024 and upon hearing the arguments of M/S GEORGE VARGHESE (PERUMPALLIKUTTIYIL), A.R. DILEEP, P.J. JOE PAUL, MANU SEBASTIAN and RAJAN G. GEORGE, Advocates for the petitioner, SRI ASHOK M. CHERIAN, ADDITIONAL ADVOCATE GENERAL & SHYAMPRASANTH for R1 to R6, GOVERNMENT PLEADER for R9 & R17, SRI. VINCENT JOSEPH, Advocate for R1 and R8, SRI. LAL K. JOSEPH, STANDING COUNSEL for R10, M/S. BABU KARUKAPADATH & C.N PRABHAKARAN, STANDING COUNSEL for Addl. R11, SRI. SUMAN CHAKRAVARTHY, STANDING COUNSEL FOR Addl. R12, SRI. M.K. CHANDRA MOHAN DAS, STANDING COUNSEL for Addl. R13, SRI. K.K. CHANDRAN PILLAI, Senior Advocate along with M/s. S. AMBILY, NAMITHA NAMBIAR, SAJI THOMAS, VANIAH MARIA DOMINIC, M. MEENA JOHN and ISSAC M PERUMPILLIL, Advocates for Addl. R14, SRI. SANTHOSH P. PODUVAL, STANDING COUNSEL for Addl. R15, M/s. BINDUMOL JOSEPH, B.S. SYAMANTHAK and ANJU ANILKUMAR, STANDING COUNSEL for Addl. R16, SRI. PREM CHAND R. NAIR, Advocate for Addl. R18, SRI. DEEPU LAL MOHAN, STANDING COUNSEL for Addl. R19, M/S. KODOTH SREEDHARAN & DEEPU LAL MOHAN for Addl. R20, DEPUTY SOLICITOR GENERAL OF INDIA & BIDAN CHANDRAN, STANDING COUNSEL FOR ADDL. R21, SRI. SYAM PRASANTH, GOVERNMENT PLEADER FOR R22 TO R24 and of SRI. HARISH VASUDEVAN, AMICUS CURIAE, the court passed the following:

DEVAN RAMACHANDRAN, J.

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W.P.(C) Nos.22750, 25784, 42574 of 2018,
27642 of 2021 and 42160 of 2022
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Dated this the 9th day of October, 2024

ORDER

In the last order dated 01.10.2024, certain directions were issued.

2. Sri.Janardhana Shenoy - appearing for the Secretary, Corporation of Kochi, says that large number of boards, in excess of 9000, have been removed for the last 1½ years and requisitions for fines been made. He, however, was not able to inform this Court the actual amount that has been recovered.

3. Sri.Harish Vasudevan – learned Amicus Curiae, has filed an additional report dated 09.10.2024, saying that the city of Thiruvananthapuram is also flooded with boards.

4. Sri.Suman Chakravarthy, however, submitted that many of the boards have now been removed.

5. It is thus clear that Secretaries of Local Self Government Institutions are reacting to the orders of this Court only if violations are noticed by this Court and not otherwise. This is unacceptable.

6. When it comes to violations in a city like Thiruvananthapuram, the matter is much more serious because it

is the Capital city and one which is extremely beautiful and well planned in comparison to many others. The violations under the nose of governance – in a manner of speaking – should not merely distress this Court alone, but also the Authorities who are concerned with the task of ensuring maintenance of law and order; but as the learned Amicus Curiae says many of the boards and flags, or most of them, are, in fact, installed by political parties and people or entities in power, and even by the Public Relation Department of the Government.

7. I, therefore, asked Sri.Suman Chakravarthy – learned counsel for the Corporation of Thiruvananthapuram, whether his client would allow an inspection of the city and cause a report to this Court, to which he sought a week's time.

8. As regards the publication of the numbers of the Nodal Officers as requested by learned Amicus Curiae, Sri.Shyam Prasanth - learned learned Government Pleader, again seeks a weeks time.

List on 16.10.2024.

Sd/- **DEVAN RAMACHANDRAN,**
JUDGE

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