

**IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT  
THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS**

Friday, the 24<sup>th</sup> day of November 2023 / 3rd Agrahayana, 1945

WP(C) NO. 39105 OF 2023

**PETITIONERS:**

1. JASAR K P, AGED 39 YEARS,
2. MOHAMMED RAFI K.V., AGED 38 YEARS,
3. ABDUL RASHEED, AGED 40 YEARS,

**RESPONDENTS:**

1. STATE OF KERALA, LOCAL SELF GOVERNMENT (RURAL) DEPARTMENT, ROOM NO. 404A, 4TH FLOOR, ANNEX – I, SECRETARIAT, THIRUVANANTHAPURAM, REPRESENTED BY IT PRINCIPAL SECRETARY, PIN-695001
2. DISTRICT DISASTER MANAGEMENT AUTHORITY (MALAPPURAM), COLLECTORATE, CIVIL STATION, MALAPPURAM, REPRESENTED BY ITS CHAIRMAN, PIN-676505
3. STATION HOUSE OFFICER (SHO), KADAMPUZHA POLICE STATION, KADAMPUZHA P.O., MALAPPURAM, PIN- 676553
4. INDUS TOWER LIMITED, 8TH FLOOR, VANKARATH TOWERS, BYPASS JUNCTION, PALARIVATTOM, ERNAKULAM, REPRESENTED BY ITS MANAGING DIRECTOR, PIN-682025
5. ATHAVANAD GRAMA PANCHAYAT, TIRUR TALUK, MALAPPURAM DISTRICT, KERALA, REPRESENTED BY ITS SECRETARY, PIN-676553
6. THE SECRETARY, ATHAVANAD GRAMA PANCHAYAT, TIRUR TALUK, MALAPPURAM DISTRICT KERALA, PIN- 676553

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 Respondent No.3 and Respondent No.6 to ensure that the Respondent No.4 does not construct the telecommunication tower in Nellithada Kunnu in Ward No.2 of Athavanad Grama Panchayat without obtaining the permission of Respondent No.6 in accordance with the Kerala Panchayat Raj Act 1994 pending disposal of this Writ Petition (Civil).

This petition coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S.P.A.MOHAMMED SHAH, RENOY VINCENT, SHAHIR SHOWKATH ALI, CHELSON CHEMBARATHY, ABEE SHEJIRIK FASLA N.K, MUHAMED JUNAID V., ADITH KRISHNAN.U., FATHIMA AFEEDA P., NABEEL SHAH IBRAHIM, SHIBU V.M. & AYISHA T.S., Advocates for the petitioners, the court passed the following:

**BECHU KURIAN THOMAS, J.**

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**W.P.(C)No.39105 of 2023**

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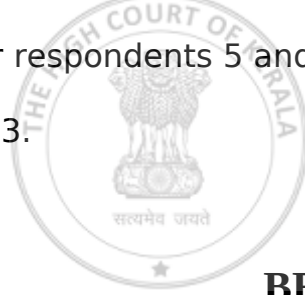
*Dated this the 24<sup>th</sup> day of November 2023*

**ORDER**

Admit.

Learned Government Pleader takes notice for respondents 1,2 and 3. Issue notice by speed post to the 4<sup>th</sup> respondent. Learned Standing Counsel takes notice for respondents 5 and 6.

Post on 18.12.2023.



**BECHU KURIAN THOMAS  
JUDGE**

jm/