



J U D G M E N T

Dated this the 12th day of December, 2023

[W. A. Nos. 2123, 2127 and 2129 of 2023]

A. J. Desai, C. J.

By way of these appeals filed under Section 5 of the Kerala High Court Act, 1958, the appellants have challenged the legality and validity of the common judgment dated 10.11.2023 in W. P. (C) Nos. 3668, 5469 and 27414 of 2023.

2. Having heard the counsel appearing for the respective parties and considering the specific provision i.e. Section 57 of the Kerala Municipality Act, 1994, we dispose of these appeals permitting the aggrieved Councillors to challenge the decision taken by the Council before the State authority within a period of one week. If such proceedings are initiated, the State authority shall decide the same, without being influenced by the observations made by the learned Single Judge, at the earliest, strictly in accordance with law, after providing an opportunity of hearing to all concerned including the person in whose favour the



agreement has been executed.

If such proceedings are initiated under Section 57 of the Act, the Corporation shall not proceed further with the repairs of the building in question for a period of one week.

The writ appeal is accordingly disposed of. Pending Interlocutory Applications, if any, shall stand closed.

Sd/-
A. J. DESAI
CHIEF JUSTICE

Sd/-
V. G. ARUN
JUDGE

Eb