

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 30TH DAY OF OCTOBER 2020 / 8TH KARTHIKA, 1942

WP(C).No.18814 OF 2014(B)

PETITIONER:

PRANAV LE ROYALE INVESTORS WELFARE SOCIETY
REPRESENTED BY ITS SECRETRARY, PRANAVAH LE
ROYALE INVESTORS WELFARE SOCIETY, KUMARANASAN
JUNCTION, KALoor, KOCHI - 17.

BY ADV. SRI.KODOTH SREEDHARAN

RESPONDENTS:

- 1 K.B.RAMACHANDRA MENON
AGED 64 YEARS
S/O CKB PANICKER, R/AT VILLA NO.23, HEVENLY
VILLAS, NEAR KUTTUR HIGHER SECONDARY
SCHOOL, KUTTUR VILLAGE, VADKKEMURI VILLAGE, THRICUR -
680 010.
- 2 MAHESH MENON
AGED 32 YEARS
S/O KB RAMACHANDRA MENON, R/AT VILLA NO.23,
HEVENLY VILLAS, NEAR KUTTUR HIGHER SECONDARY
SCHOOL, KUTTUR VILLAGE, VADKKEMURI VILLAGE,
THRICUR - 680 015.
- 3 SANDEEP MENON
AGED 29 YEARS
S/O.KB RAMACHANDRA MENON, R/AT VILLA NO.23,
HEVENLY VILLAS, NEAR KUTTUR HIGHER SECONDARY
SCHOOL, KUTTUR VILLAGE, VADKKEMURI VILLAGE,
THRICUR - 680 110.

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-:2:-

- 4 RAMANI MENON
AGED 54 YEARS
W/O KB RAMACHANDRA MENON, R/AT VILLA NO.23,
HEVENLY VILLAS, NEAR KUTTUR HIGHER SECONDARY
SCHOOL, KUTTUR VILLAGE, VADKKEMURY VILLAGE,
THRICHUR - 680 110
- 5 STATE OF KERALA
REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM - 682 031.
- 6 COMMISSIONER OF POLICE
KOCHI - 682 032.
- 7 THE STATION HOUSE OFFICER
ERNAKULAM TOWN SOUTH POLICE STATION, ERNAKULAM
DISTRICT, PN - 682 016.
- 8 ADDL.R8 BINDU VASUDEVAN
W/O.DR.BABU VASUDEVAN, PORUTHIYIL,
THRIKKANARVATTOM DESOM, ERNAKULAM VILLAGE,
KANAYANNOOR TALUK, ERNAKULAM - 682 018.
- 9 ADDL.R9 DR.PREM NARAYAN
S/O DR.BABU VASUDEVAN, PORUTHIYIL,
THRIKKANARVATTOM DESOM, ERNAKULAM VILLAGE,
KANAYANNOOR TALUK, ERNAKULAM - 682 018.
- 10 ADDL.R10 PRIYA
D/O.DR.BABU VASUDEVAN, PORUTHIYIL,
THRIKKANARVATTOM DESOM, ERNAKULAM VILLAGE,
KANAYANNOOR TALUK, ERNAKULAM - 682 018.
REP. BY HER POWER OF ATTORNEY HOLDER 8TH
RESPONDENT BINDU VASUDEVAN
(SUPPLEMENTAL RESPONDENTS 8 TO 10 ARE IMPLEADED
AS PER ORDER DATED 12/08/2014 IN IA.10941/2014)
- 11 ADDL.R11 RANJITH A
S/O K.ACHUTHAN, AYANIKKATTU HOUSE, 34/1131, BTR
ROAD, EDAPPALLY, KOCHI. (ADDL.R11 IMPLEADED AS
PER ORDER DATED 18/06/2015 IN IA.7462/2015)

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-:3:-

- 12 ADDL.R12 K.S.VISHNU
S/O SATHEESH BABU, 'SOUPARNIKA', 49/2000 B
RESIDENTS LANE, EDAPPALLY, COCHIN, ERNAKULAM
DISTRICT.
- 13 ADDL.R13 THOMAS MATHEW
S/O LATE EAPEN MATHAI, 6/637 PALLIPARAMBIL
HOUSE, THUMBAMONTHAZHAM PO, PATHANAMTHITTA
DISTRICT. (ADDL.R12 TO R13 ARE IMPEADED AS PER
ORDER DATED 18/06/2015 IN IA.8223/2015)
- 14 ADDL.R14 M.K.SUKUMARAN
S/O M.C.KANDARI, HOUSE NO.XXXII/1577, LAKSHMI
MARATHARA, PALARIVATTOM PO, KOCHI. (ADDL.R14
IMPEADED AS PER ORDER DATED 26/07/2016 IN
IA.17685/2015)
- 15 ADDL.R15 THRIKKAKKARA MUNICIPALITY
REPRESENTED BY ITS SECRETARY, THRIKKAKKARA.
(ADDL.R15 IS IMPEADED AS PER ORDER DATED
26/07/2016 IN IA.11523/2016)
- 16 ADDL.R16 HOUSING DEVELOPMENT FINANCE
CORPORATION (IN SHORT HDFC LTD),
M.G.ROAD, KOCHI-16, REPRESENTED BY ITS DEPUTY
MANAGER (LEGAL) SACHIN A.S (ADDL.R16 IS
IMPEADED AS PER ORDER DATED 18/12/2017 IN
IA.19993/2017)
- 17 ADDL.R17 SUBIN
C/O. GENERAL TRADERS, WEST KARUVELIPADY, KOCHI-
682 005
- 18 ADDL.R18 SIJU VARGHESE
POST BOX NO. 54789, DUBAI
- 19 ADDL.R19 MANJITH THOMAS
S/O. DR. MOHAN THOMAS, W/III-226, TABOR VILLA,
MADUKKANI, MUTTAMBALAM P.O., KANJIKUZHY,
KOTTAYAM-686 004

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-:4:-

- 20 ADDL.R20 MONCY THOMAS
S/O. DR. MOHAN THOMAS, W/III-226, TABOR VILLA,
MADUKKANI, MUTTAMBALAM P.O., KANJIKUZHY,
KOTTAYAM- 686 004. (ADDL.R17 TO R20 ARE
IMPLEADED AS PER ORDER DATED 24/01/2018 IN
IA.1288/2018)
- 21 ADDL.R21 SHANAWAS MOOSA,
VILLA NO. 113, CONCORDE CUPPERTINO, ELECTRONIC
CITY PHASE-1, BANGALORE- 560 100
- 22 ADDL.R22 DIVYA K.A.
LAKSHMI, TRA-107, THEVALLY, KOLLAM-691 009.
(ADDL.R21 TO R22 IS IMPLEADED AS PER ORDER
DATED 24/01/2018 IN IA.1478/2018)
- 23 ADDL.R23 AXIS BANK LTD., RAJAJI ROAD BRANCH,
REPRESENTED BY ITS MANAGER, RAJAJI ROAD, RAC
KOCHI
- 24 ADDL.R24 FEDERAL BANK LTD.,
BYPASS ROAD BRANCH, REPRESENTED BY ITS MANAGER,
BYPASS ROAD ERNAKULAM
- 25 ADDL.R25 HDFC BANK LTD.,
ANNAI SALAI, CHENNAI BRANCH, REPRESENTED BY ITS
MANAGER, ANNAISALAI, CHENNAI
- 26 ADDL.R26 HDFC BANK LTD.,
PADIVATTAM BRANCH, REPRESENTED BY ITS MANAGER,
PADIVATTAM, ERNAKULAM
- 27 ADDL.R27 HDFC BANK LTD.,
PALARIVATTAM BRANCH, REPRESENTED BY ITS
MANAGER, PALARIVATTAM, ERNAKULAM
- 28 ADDL.R28 HDFC BANK LTD.,
RAVIPURAM BRANCH, REPRESENTED BY ITS MANAGER,
RAVIPURAM, ERNAKULAM

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-:5:-

- 29 ADDL.R29 IDBI BANK LTD.,
MG ROAD BRANCH, REPRESENTED BY ITS MANAGER, MG
ROAD ,ERNAKULAM
- 30 ADDL.R30 STATE BANK OF TRAVANCORE
VYTTILE BRANCH, REPRESENTED BY ITS MANAGER,
VYTTILA, ERNAKULAM
- 31 ADDL.R31 UNION BANK , NELLIKKODE BRANCH,
REPRESENTED BY ITS MANAGER, NELLIKKODE CALICUT.
(ADDL.R23 TO R31 ARE IMPEADED AS PER ORDER
DATED 24/01/2018 IN IA.15756/2016)
- 32 ADDL.R32 DEPUTY CHIEF ENGINEER
KERALA STATE ELECTRICITY BOARD, SUB STATION,
THOPPIL ESTETE, JANATHA JUNCTION, VYTILLA-
682019.
- 33 ADDL. R33. THE EXECUTIVE ENGINEER,
KERALA STATE ELECTRICITY BOARD, ELECTRICAL
DIVISION, THRIIPPUNITHURA-682030.
- 34 ADDL.R34 STATION OFFICER
FIRE AND SAFETY, FIRE AND RESCUE SERVICE,
THIRIKKAKARA SECTION, N.G.O QUARTERS, KAKKANAD.
- 35 ADDL.R35 ENVIRONMENT ENGINEER
POLLUTION CONTROL BOARD, KERALA STATE POLLUTION
CONTROL BOARD, GANDINAGAR, KADAVANTHRA-682020.
- 36 ADDL.R36 ASSISTANT EXECUTIVE ENGINEER
KERALA WATER AUTHORITY, KALAMASSERY SUB
DIVISION, KALAMASSERY.
- 37 ADDL.R37 DEVAN
AVIATION DEPARTMENT, AIRPORT AUTHORITY OF
INDIA, SOUTHERN REGION, CHENNAI AIRPORT,
TAMILNADU.
- 38 ADDL.R38 COMMANDING CHIEF
SOUTHERN NAVAL COMMAND, HEADQUARTERS, KOCHI-
682004. (ADDL.R32 TO R38 ARE IMPEADED AS PER
ORDER DATED 30/11/2018 IN IA.12/2018)

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-:6:-

39 ADDL. R39. THE REGIONAL TOWN PLANNING OFFICER,
CIVIL STATION, KAKKANAD.

ADDL. R39 IS SUO MOTU IMPEADED AS PER ORDER
DATED 15/02/2019.

40 ADDL. R40. SALUHADEEN S.A.,
AGED 49 YEARS, S/O. LATE IBRAHIM, 'MEHAK',
PUTHIYARA P.O., CALICUT - 673004.

ADDITIONAL R40 IS IMPEADED AS PER ORDER DATED
15/02/2019 IN IA NO.3/2019.

41 ADDL.R41. SUKUMAR KUNHIL,
K.T.K.RAMAN, AGED 62 YEARS, RETIRED
PROFESSIONAL, R/O.B-203, SRI SAIRAM TOWERS,
HAFEEZPET, HYDERABAD - 500 049, TELANGANA
STATE.

ADDL. R41. IS IMPEADED AS PER ORDER DATED
15/02/2019 IN IA 4/2019.

42 ADDL. R42. SUNILKUMAR S.
S/O. T.K. SURENDRAN NAIR, AGED 50 YEARS,
MANAGEMENT CONSULTANT, RESIDING AT
VAZHACKAPPILLIL HOUSE, VAYALAR P.O., CHERTHALA,
ALLEPPEY DISTRICT, PIN - 688536.

ADDITIONAL R42 IS IMPEADED AS PER ORDER DATED
15/02/2019 IN IA 5/2019.

43 ADDL. R43. GANAPATHY NARAYANAN,
S/O. K.R. NARAYANAN, AGED 51 YEARS, RAMACHANDRA
VILAS, THOTTUVA, KOOVAPPADY P.O., KODANAD
VILLAGE, PERUMBAVOOR, PIN -683544.

ADDL. R43. IS IMPEADED AS PER ORDER DATED
15/02/2019 IN IA NO.6/2019.

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-:7:-

- 44 ADDL. R44. V.BALAKRISHNAN,
S/O. LATE CHANDU KARNAVAR, AGED 74 YEARS, RTD.
EXECUTIVE ENGINEER, RESIDING AT VARADA,
MANNAMPURAM, NILESHWARAM, KASARAGOD DT.

ADDITIONAL R44. IS IMPLEADED AS PER ORDER DATED
15/02/2019 IN IA 7/2019.
- 45 ADDL. R45. VARGHESE RAJAN PARATHARACKAL,
AGED 50 YEARS, PHARMACIST, PARATHARACKAL HOUSE,
MUHAMMA, MUHAMMA P.O., ALAPPUZHA DISTRICT,
KERALA - 68825.

ADDITIONAL R45 IS IMPLEADED AS PER ORDER DATED
15/02/2019 IN IA 8/2019.
- 46 ADDL R46. SHAJIDA MUHAMMED SAKEER,
W/O. MUHAMMED SAKEER, AGED 44 YEARS, HOUSE
WIFE, RESIDING AT CHUNDEKKATTIL HOUSE, P.O.,
VELLANGALLUR, THRISSUR DISTRICT, KERALA-680
662.

ADDL. R46 IS IMPLEADED AS PER ORDER DATED
15/02/2019 IN IA NO.9/2019.
- 47 ADD. R47. K.ABRAHAM,
AGED 80 YEARS, RESIDING AT JIBY COTTAGE,
THATTARAMBALAM P.O., MAVELIKKARA- 690103,
ALAPPUZHA DISTRICT.

ADDL. R47 IS IMPLEADED AS PER ORDER DATED
15/02/2019 IN IA 10/2019.
- 48 ADDL. R48. MATHEW A.V.,
S/O. VARGHESE A.I., AGED 62 YEARS, ARYA VILAS,
SOUTH VAZHAKULAM P.O., ALUVA VAZHAKULAM, SOUTH
VAZHAKULAM, ERNAKULAM, KERALA-683105.

ADDL. R48 IS IMPLEADED AS PER ORDER DATED
15/02/2019 IN IA 11/2019.

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-:8:-

- 49 ADDL. R49. V.S.ACHUTHAN PILLAI,
S/O. R. SREEDHARAN PILLAI, AGED 69 YEARS,
RESIDING AT ANJALI, T.C. 64/704, ERA - A41),
EDAGRAMOM, KARUMOM P.O., TRIVANDRUM-695002.

ADDL. R49 IS IMPEADED AS PER ORDER DATED
15/02/2019 IN IA 12/2019.
- 50 ADDL. R50. ABRAHAM ALEXANDER,
S/O. P.O. ABRAHAM, AGED 61 YEARS, POOVELIL
HOUSE, KORATTY P.O., THRISSUR DISTRICT, KERALA-
680380.

ADDL. R50 IS IMPEADED AS PER ORDER DATED
15/02/2019 IN IA 13/2019.
- 51 ADDL. R51. SREEHARI M.,
S/O. NARAYANAN M., AGED 39 YEARS, RESIDING AT
MANGALASSERI HOUSE, P.O. ARAKKINAR, KOZHIKODE,
KERALA-673028.

ADDL. R51 IS IMPEADED AS PER ORDER DATED
15/02/2019 IN IA 14/2019.
- 52 ADDL R52. SATHEESH BABU.S.,
AGED 52 YEARS
S/O.P.K.SIVASANKARAN NAIR, BUSINESS, 48/2369K,
SAROVARAM, ELAMAKKARA, COCHIN-682 026.
- 53 ADDL R53, C.REGHUNATHAN,
AGED 62 YEARS
S/O.LATE M.KRISHNAN, ANAGHA, EDAMRATHODI,
NELLAYA P.O, PIN-679 335
- 54 ADDL R54, ABDUL GAFOOR.T.P.
AGED 49 YEARS
S/O.ABDUL ASEEZ T.P, PARAMBIL HOUSE,
ANDIYOORKUNNU P.O, MALAPPURAM
- 55 ADDL R55,THAMPI.P.MATHEW
AGED 65 YEARS
T.C.39/1696, CHALUPARAMBIL HOUSE, KATTACKAL
ROAD, THIRUMALA P.O. TRIVANDRUM-695 006

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-:9:-

- 56 ADDL R56, GEETHA SATYAN,
AGED 54 YEARS
W/O.P.V.SATYAN,
2B,ROCK FORT, ROCKWELL ROAD, HMT COLONY P.O,
KALAMASSERY-683 503
- 57 ADDL R57, SHAMLA P.S,
AGED 40 YEARS
D/O SALAHUDEEN, SAPHIRE, THRIKKANDIYOOR P.O,
TIRUR MALAPPURAM
- 58 ADDL R58, S, RAMACHANDRAN,
CHITRANJALI, 1-RESIDENCE LANE, EDAPPALLY,
COCHIN-682 024
- 59 ADDL R59, P.M.MUHAMMED SAGEER
AGED 62 YEARS
S/O.P.K.MUHAMMED UNNI, PONNAMPADIKKAL HOUSE,
SANTHIPURAM P.O-680 665, KODUNGALLUR.
- 60 ADDL R60, K.P.ZUHRABI
AGED 58 YEARS
W/O.E.P.ABDU RAHIMAN, SITHARA, NEAR MATCH
FCATORY, AZHIKODE 670 009, KANNUR
- 61 ADDL R61, FEMINA JAFFER,
W/O.JAFFER MUHAMMED, APARTMENT NO.B BLOCK 10A2,
KENT HAIL GARDEN, STADIUM LINK ROAD, KALOOR-682
025
- 62 ADDL R62, ABRAHAM M.C.
AGED 64 YEARS
S/O M.G.CHANDY, RESIDING AT MULANILKUNNATHIL
HOUSE, NALKALIKAL P.O-689 533, ARANMULA,
PATHANAMTHITTA
- 63 ADDL R63,CAPTAIN VENU GOPAL MATHUR
AGED 49 YEARS
S/O.K.R.GOVINDANKUTTY, VRINDAVANAM, NEAR MODEL
ENGINEERING COLLEGE ROAD, TCRWA/77, THRIKKAKARA
P.O., KOCHI 682 021

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-:10:-

- 64 ADDL R64, VELUPPILLAI SREEDHARAN PILLAI
VIJAYAKUMAR
AGED 59 YEARS
S/O.R.SREEDHARA PILLAI, FLAT NO. 14F, NIKUNJAM
FORTUNE, JAWAHAR NAGAR, KOWDIAR,
THIRUVANANTHAPURAM-695 003
- 65 ADDL R65, GENSON GEORGE,
AGED 51 YEARS
S/O.K.S.GEORGE, VETOM HOUSE, THELLAKAM P.O,
KOTTAYAM-686 630
- 66 ADDL R66, DR.P.P.PILLAI,
AGED 80 YEARS
RESIDING AT PRANAVAM, AISHWARYA NAGAR, WEST
FORT, THRISSUR-680 004
- 67 ADDL R67, RAJILAL P.R.NAIR
AGED 54 YEARS
PEZHATHINAL CHITHIRA, GANDHI NAGAR,
KOTTAYAM-686 008
- 68 ADDL R68, JOHN DAVY.C.,
AGED 60 YEARS
S/O.FRANCIS JOHN, NEHRU AVENUE, KURIACHIRA,
THRISSUR-680 006
- 69 ADDL. R69, V.S.THANKAMONIYAM
AGED 64 YEARS
S/O.R.SREEDHARAN PILLAI, MADATHIL HOUSE,
PAYIPPAD.P.O, HARIPPAD VAYAM, ALLEPPEY
- 70 ADDL R70, SHANAVAS.M.M
AGED 47 YEARS
S/O.M.M.HANEEFA, WARD NO.12, HOUSE NO.309,
TIPPU SULTHAN ROAD P.O, VATTANAPPALLY 680 614,
THRISSUR
- 71 ADDL R71, SUMA ANIL NAIR
D/O.R.K.NAIR, RESIDING AT 5, SANDOVAL LANE, JVC
DUBAI UAE

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-:11:-

- 72 ADDL R72, JATHIN CHANDRAN,
24309, ALYSSUM P1, VALENCIA CA-91354
- 73 ADDL.R73, VINOD ANTONY,
AGED 44 YEARS
P.O.BOX 535, POSTAL CODE 114, JIBROO, SULTANATE
OF OMAN.
- 74 ADDL.R74,AEGIS COMMUNICATIONS PRIVATE LIMITED
3RD FLOOR CHANDRIKA BUILDINGS, M.G.ROAD,
ERNAKULAM-682 011, REP. BY MANAGING DIRECTOR
(ADDL R52 TO ADDL R74 IMPLEADED AS PER ORDER
DATED 01-03-2019 IN IA.NO.21/2019)
- 75 ADDL R 75, HASEEB KELOTH PATTARKANDY
AGED 49 YEARS
S/O.ABDULLA. P.K, RESIDING AT SUHA, KTP MUKKU
CHIRAKKARA, THALASSERY, KERALA-670 104
- 76 ADDL R76, TREVOR BASIL DEMONTE
AGED 69 YEARS
S/O.LATE JOSEPH DEMONTE, CONSULTANT, K5/1, DLF
CITY PHASE 2, GURUGRAM, HARYANA 122012
- 77 ADDL R77, DEEPAK P.R
AGED 38 YEARS
S/O.P.RADHAKRISHNAN, BABYSREE, CHEVAYUR P.O,
KOVOOR, KOZHIKODE-673 017
- 78 ADDL 78, KOYATTY PADINHARAKKANDY
AGED 39 YEARS
S/O.RAJAN.K.MATHEW, ACCOUNTANT, KOITHODATHU
HOUSE, KURUNGAZHA P.O, PATHANAMTHITTA-689 548
- 79 ADDL R79, TINU IDICULA MATHEWS
AGED 39 YEARS
S/O.RAJAN.K.MATHEW, ACOUNTANT, KOITHODATHU
HOUSE, KURUNGAZHA P.O, PATHANAMTHITTA-689 548
- 80 ADDL R80, SHAINA RAVINDRANATHAN
AGED 51 YEARS
S/O.E.P.RAVINDRANATHAN, EASWARAMANGALATH HOUSE,
KOTTAPURAM P.O, KODUNGALLUR, THRISSUR 680 667

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-:12:-

- 81 ADDL R81, THOMAS MATHEW
AGED 59 YEARS
RESIDING AT PALLIPARAMBIL HOUSE,
THUMPAMON THAZAM P.O,
ELAVUMTHITTA, PATHANAMTHITTA-689 632
- 82 ADDL R82, ALEYAMMA BABU VASTHOLIL
AGED 64 YEARS
W/O.SHRI.BABU VARGHESE VASTHOLI
DOOR(TC)17/2142, PRATHEEKSHA, DR.PAI ROAD,
POOJAPPURA P.O
THIRUVANANTHAPURAM-695 012
- 83 ADDL R83, DIVYA K.A,
AGED 40 YEARS
D/O K.P.AIYAPPAN PILLAI, LAKSHMI, TRA 107,
THEVALLY, KOLLAM-691 009
- 84 ADDL R84, SHAJY P.RAMU,
S/O.P.K.RAMU, P.B.NO.1274, MANAMA, BAHRAIN
- 85 ADDL R85, K.K.JOSE,
AGED 51 YEARS
S/O. LATE KOCHAPPU, KOLANKANNY HOUSE,
VELAYANADU, VELANGALLUR P.O, THRISSUR -680 662
- 86 ADDL R86, NAVEEN RAJ,
AGED 38 YEARS
S/O. RAJASEKHARAN PILLAI, 4385 CASA GRANDE CIR,
APT 359, CYPRESS, CALIFORNIA, USA-90630
- 87 ADDL R87, KAVITHAMOL KURUVILLA,
AGED 44 YEARS
W/O.BIJO GEORGE PUTHENVEEDAN, 13/107A,
PUTHENVEET, MAVINCHUVADU,
MUVATTUPUZHA-686 661
- 88 ADDL R88, SIBY JOHN KONNACKAL ,
AGED 50 YEARS
S/O.K.A.YOHANNAN, KONNACKAL HOUSE, CHEMPERI
P.O, KANNUR DISTRICT-670 632

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-:13:-

- 89 ADDL R89, LIJURAJ PILLAI,
AGED 36 YEARS
HAMARA HOUSE, ALAYAMAN P.O, ANCHAL KOLLAM, -
691 306
- 90 ADDL R90, PREMJI JOYKUTTY ,
AGED 44 YEARS
S/O.K.C.JOYKUTTY MADATHIVILA PUTHENVEEDU,
ELAGAMANGALAM, ENATHU P.O, PATHANAMTHITTA
- 91 ADDL R91, SHERLY SAJAN,
AGED 58 YEARS
W/O.SAJAN GEORGE
EDASSERIATHU HOUSE, MANGADU, CHAYALODU P.O,
EZHAMKULAM, PATHANAMTHITTA
- 92 ADDL R92, JAZEEM MUHAMMED,
AGED 39 YEARS
S/O.M.M. MOHAMMED ALI, JAZIM, VELLAKKINAR WARD
P.O, ALAPPUZHA 688 001
- 93 ADDL R93, M.MANOJ KUMAR,
AGED 45 YEARS
S/O.MANMADHAN, BELLE FORTUNA, V/374-DM-4 &
V/374-DM-5, VALIYAKULAM, KARIMAKKAD ROAD,
THRIKKAKKARA P.O , ERNAKULAM 682 021
- 94 ADDL R94, A SREE DETHAN,
AGED 54 YEARS
S/O APPUKUTTAN PANICKER, TC.24/2734, HOUSE NO.
PRA-A13, PANDIT'S COLONY, KAWDIAR,
THIRUVANANTHAPURAM-695 003
(R75 TO R94 ARE IMPEADED AS PER ORDER DATED
11/3/2019 IN IA 22/19.)

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-:14:-

- 95 ADDL. R95, RAJENDRAN NAIR,
AGED 42 YEARS, S/O. P.K.KRISHNAN NAIR,
REPRESENTED BY POWER OF ATTORNEY HOLDER
P.K.KRISHNAN NAIR (FATHER),
S/O NARAYANA PANICKER, AGED 79 YEARS,
R/AT MOUTTATHU VADAKKETHIL,
THUVAYOOR NORTH, MANAKKALA P.O,
PATHANAMTHITTA DISTRICT
- ADDL. R95 IMPEADED AS PER ORDER DATED
23/01/2020 IN I.A 1/2020
- 96 ADDL R96. JOYCE LATHA ROY
AGED 58 YEARS
W/O. GEORGE JOY, RESIDING AT KALLUVILAYATHIL
ESTATE, MARUTHAMALA P.O, VITHURA , TRIVANDRUM.
- 97 ADDL R97, BABY ISSAC,
AGED 56 YEARS
S/O. K.J.ISSAC
FLAT NO.410, A3, GANGA BLOCK, NATIONAL GAMES
VILLAGE, KORAMANGALA, BANGALORE-560 047.
- 98 ADDL R98, MATHEW THOMAS KALATHILPARAMBIL
AGED 54 YEARS
MEADOWS 2, STREET 7 VILLA 16, DUBAI, UAE
- 99 ADDL R99, JALEEL SHERIFF,
S/O.MUHAMMED GOUSE, VILLA NO.52, AL GHADEER
COMMUNITY, P.O.BOX NO.444484, ABUDHABI
- 100 ADDL R100, ASHOK KUMAR.T.
S/O.K.THANKAPPAN NAIR, FLAT NO.7C2, HOLIFAITH
RESIDENCY, THRIKKAKKARA, ERNAKULAM - 682 030.
- 101 ADDL R101, ZAKIR MUHAMMED HANEEFA
FLAT NO.2401, POST OFFICE TOWER BUILDING,
AIRPORT ROAD, ABUDHABI P.B.NO.3600
- 102 ADDL 102, M.S.SHIVA PRASAD,
A1-212, PATEL CALLISTRO APARTMENTS TALACAUVERY
LAY OUT, AMRUTHAHALLI, BANGALORE 560092

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-:15:-

- 103 ADDL 103, JAYACHANDRAN NAIR,
S/O.KRISHNANKUTTY NAIR, FLAT NO.304, ADCP
BUILDING 1280 MUROOR ROAD, ABUDHABI PB NO.3838
- 104 ADDL R104, VARGHESE ABRAHAM
AGED 53 YEARS
S/O. ABRAHAM VARGHESE, PALMATTAM HOUSE,
KUNNUKUZHI P.O, THIRUVANANTHAPURAM-695 037
- 105 ADDL R105 SADIK BATCHA,
AGED 46 YEARS
S/O MOHAMMED ANSARI, CRESCENT TOWER, KHALIDIYA,
ABU DHABI P.O 3600, UNITED ARAB EMIRATES
- 106 ADDL R106, RAYMOL KURUVULLA MALCOM
W/O MALCOM FRANCIS K. AGED 45 YEARS, FRUITION,
KEZHEDATH PARAMBA, PUTHIYARA POST, CALICUT-673
004, KERALA.
- 107 ADDL R107, PREETHA SUNIL
AGED 51 YEARS
D/O SADANANDAN, AARAMAM, TC 29/649(2) SEEVELI
NAGAR, PETTAH.P.O, TRIVANDRUM, KERALA-695 024
- 108 ADDL 108, RAJEEV VIJAYAN,
AGED 47 YEARS
S/O.VIJAYAN, PB 716, PC130, AL UTHAIBA, OMAN
- 109 ADDL 109, SAMUEL VETTASSERIL ,
AGED 65 YEARS
71A/12, RAMAN RATHI C.H.S LTD, BRINDAVAN
SOCIETY, THANE-400 601, MAHARASHTRA
- 110 ADDL 110, P.M.NOUFAL,
AGED 58 YEARS
S/O.T.S.MOHAMMED KASSIM, HAVING PERMAMENT
ADDRESS AS; RAHIM MANZIL, PARUTHIPPARA, PATTOM
PALACE P.O, THIRUVANANTHAPURAM-695 004 NOW
RESIDING AT; "ASHIYANA" TC NO.11/226, PANAVILA,
NALANCHIRA P.O THIRUVANANTHAPURAM, KERALA 695
015

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-:16:-

111 ADDL R111, ANIL KUMAR V,
AGED 50 YEARS
S/O N.VASUDEVAN NAIR, 10A2, NATIONAL RESIDENCY,
EDAPPALLY P.O, KOCHI-682 024

112 ADDL R112, SAYID ALI K.
AGED 65 YEARS
S/O K. POCKER, KARIMPANAKKAL HOUSE, ANAMANGAD
P.O, MALAPPURAM, KERALA-679 357.

(ADDL R96 TO ADDL R112 ADDL.IMPLEADED AS PER
ORDER DATED 30.10.2020 IN I.A.NO.23 OF 2019)

113. ADDL.R113, SUNIL JOSEPH,
S/O P X JOSEPH,
C/O. GENERAL TRADERS, RC ROAD,
WEST KARUVELIPPADY, KOCHI - 05.

(ADDL. R113 IMPEADED AS PER ORDER DATED
30.10.2020 IN I.A.NO.10 OF 2018)

114. ADDL. R114, DEVAN V
S/O. P.K.VENUGOPALAN,
AGED 50 YEARS
ADVOCATE, RESIDING AT CC.65/3031,
PC ROAD, AZAD ROAD, KALOOR P.O, KOCHI - 682
017.

(ADDL. R114 IMPEADED AS PER ORDER DATED
30.10.2020 IN I.A.NO.2 OF 2019)

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-:17:-

115. ADDL. R115, REGHUNATH BALAMANI SATHEESAN
S/O. L.SATHEESAN, AGED 49,
RESIDING AT KRISHNANANDAM
NEAR TELEPHONE EXCHANGE PALLITHAZHAM
MULANTHURUTHY P.O,
ERNAKULAM DISTRICT REPRESENTED BY B.S.
JAYACHANDRAN
POWER OF ATTORNEY HOLDER

(ADDL. R115 IMPEADED AS PER ORDER DATED
30.10.2020 IN I.A.NO.15 OF 2019)

116. ADDL.R116, RAMALINGAM N,
S/O. NARAYANASUBRAMANIAN R,
AGED 36 YEARS,
RESIDING AT POURNAMI, VII/285A, KAKKANADU P.O,
KOCHI, KERALA - 682 030.

(ADDL. R116 IMPEADED AS PER ORDER DATED
30.10.2020 IN I.A.NO.16 OF 2019)

117. ADDL. R117, JOHN THOMAS,
S/O. KATTAPPURAM JOHN THOMAS,
AGED 63 YEARS,
RESIDING AT TC IV/189, JESHIL, KURAVANCONAM,
KOWDIAR P.O, THIRUVANANATHAPURAM DISTRICT
KERALA, PIN - 695 003.

(ADDL. R117 IMPEADED AS PER ORDER DATED
30.10.2020 IN I.A.NO.17 OF 2019)

118. ADDL. R118, DR. NAYANA MENON
D/O ADM.B.R.MENON (RETD), AGED 46 YEARS,
RESIDING AT 'BALEYAM', MODEL ENGG COLLEGE ROAD,
THRIKKAKARA P.O, KOCHI, KERALA - 682 021.

(ADDL. R118 IMPEADED AS PER ORDER DATED
30.10.2020 IN I.A.NO.18 OF 2019)

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-:18:-

119. ADDL. R119, BINU SOLOMON, AGED 32,
S/O. LATE F.SOLOMON,
'NANDANAM', PRRA 41-A,
PULIMUGAL ROAD,
CHANGAMPUZHA NAGAR P.O,
COCHIN - 682 033.

120. ADDL.R120, ANILA CYRIL, AGED 29,
W/O BINU SOLOMON
'NANDANAM', PRRA 41-A,
PULIMUGAL ROAD,
CHANGAMPUZHA NAGAR P.O,
COCHIN - 682 033.

(ADDL. R119 AND R120 IMPEADED AS PER ORDER
DATED 30.10.2020 IN I.A.NO.19 OF 2019)

121. GISMI BABU
W/O. BABU JOHN
NAMMANALIL HOUSE,
LIBRARY ROAD,
ALUVA - 683 101.

(ADDL. R121 IMPEADED AS PER ORDER DATED
30.10.2020 IN I.A.NO.20 OF 2019)

R1 TO R4 BY ADV. SRI.BABU S. NAIR
R1 BY ADV. SRI.V.RAMKUMAR NAMBIAR ADMINISTRATOR
RECEIVER
R1 BY ADV. SRI.AKHIL BHASKAR
R1, R3 BY ADV. SRI.K.JAYESH MOHANKUMAR
R1 BY ADV. SRI.G.KIRAN
R1 BY ADV. SRI.C.S.MANU
R1, R8 BY ADV. SRI.MATHEWS K.UTHUPPACHAN
R1 BY ADV. SRI.M.S.NARAYANAN
R1 BY ADV. SRI.S.K.PREMRAJ
R1 BY ADV. SRI.PUSHPARAJAN KODOTH
R1-2 BY ADV. SRI.P.PAULOCHAN ANTONY
R1 BY ADV. SRI.D.SREENATH
R1, R15 BY SRI.G.G.MANOJ, SC, THRIKKAKARA
MUNICIPALITY

WPC 18814/2014

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R1 BY ADV. SRI.TERRY V.JAMES
R1 BY ADV. SMT.USHA NARAYANAN
R16 BY ADV. SRI.C.P.SAJI
R15 BY ADV. SRI. G.G.MANOJ
R16 BY ADV. C.P. SAJI
ADV. SMT.DEEPA MOHAN
R, R17 BY ADV. SRI.SABU GEORGE
R17 BY ADV. SRI.NIDHI BALACHANDRAN
R35 BY SRI. T.NAVEEN SC, KERALA STATE POLLUTION
CONTROL BOARD,
R36 BY SRI.P.BENJAMIN PAUL, SC, KERALA WATER
AUTHORITY
R38 BY ADV. SRI.SHARATH NARAYAN NAMBIAR
R38 BY ADV. SHRI.P.VIJAYAKUMAR, ASG OF INDIA
R39 BY SRI. S.GOPINATHAN,SR. GOVERNMENT PLEADER
R40-42, R44-51, R95 BY ADV. SREEKALA KRISHNADAS
R41 BY ADV. SMT.N.U.DEEPA
R41 BY ADV. SMT.P.B.SARANYA
R43, R96-111 BY ADV. SMT.SREEKALA KRISHNADAS
R1 12 BY ADV. AJEESH S.BRITE
R8 TO R10 BY SRI.MATHEWS K UTHUPPACHAN
SRI. TERRY V. JAMES
AVD. SRI. M.S.NARAYANAN
R3 BY ADV. SRI. V. RAMKUMAR NAMBIAR
R12 BY ADV. SRI. KIRAN G

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
08-10-2020, THE COURT ON 30-10-2020 DELIVERED THE FOLLOWING:

=====
W.P.(C).No.18814/2014

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J U D G M E N T

Dated this the 30<sup>th</sup> day of October, 2020

This is a unique case where justice has been served before penning down this judgment. In adversary litigation, the procedure is often understood as the medium to afoot the rights and liabilities of the litigant paving way for rendering the judgment by the Court. Procedure itself is ordained for fairness and transparency for a definite outcome in the adversary litigation. This case becomes unique as justice itself has been rendered through the procedure than from the judgment. In our administration of justice, the courts are not equipped to handle complex litigation. The civil courts are not in a position to handle disputes involving multiple parties when they are not before the courts. Contradicting position of multiple parties in a litigation is a strain on outcome. The court may not be in a

**WPC 18814/2014**

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position to render ultimate delivery of justice to the satisfaction of all. This Court understanding the predicament as above ventured to trod on a path of collaborative approach to a settlement of the dispute invoking Article 226 of the Constitution.

2. A writ of mandamus is understood as a command to compel a person to enforce the right of another person. The writ of mandamus being a pre-eminently a public law remedy is not enforced against private individuals or entities. It is the duty of the State to provide access to justice to aggrieved or injured. The court and institutions under the law are created to serve justice to the persons who are seeking to protect their legal interest. When the State failed to provide measures under the law to administer justice in a complex litigation, the constitutional court can very well invoke such course invoking power under Article 226 of the Constitution of India, if the court is of the opinion that effective measures can be taken to protect interest of all. However, the court cannot convert the writ jurisdiction to decide any dispute which is in the nature

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of a civil dispute. The Court has to delineate measures that can be taken to protect the interest of all without embarking up on any dispute which civil court alone can decide. By complex litigation, I mean when multiple parties are involved in relation to a transaction and numerous interests in such transaction is not in a position to unite their legal interest to the satisfaction of all and the institution which is supposed to deliver justice in such situation cannot handle or combine the numerous interest for the benefit of all. History of the writ of mandamus *Rex v. Barker (1762) 3 Burr. 1265, 1267* [See *Institute, Judicial Review, ibid. S.I*] clearly indicates nature of exercising power of mandamus to protect interest of person or persons if there are no remedies available to them.

3. It is in the above background, this Court entertained the writ petition arising out of a settlement in mediation agreement executed between parties. This mediation is an offshoot of the bail application filed by the builder (respondents 1 to 4) who were engaged for constructing multi-storeyed apartments. The dispute arose when the

**WPC 18814/2014**

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builder failed to deliver apartments as promised to the purchasers of such apartments. The facts narrated here-under would give a better understanding of the issue in detail.

4. The builder entered into a joint venture with the landowners to construct an apartment complex, namely, Pranavah Le Royale at Thrikkakkara. The construction appears to have started in the year 2006. The project went in doldrums to the dismay of many investors. The dejected investors approached the Police and launched complaint against the builder. The bail application was moved before this Court. The dispute was referred to mediation. In mediation, the builder have agreed to undertake the completion of the entire project. This agreement was executed on 6/12/2012.

5. The Secretary of the Apartment Association approached this Court invoking writ jurisdiction alleging that the builder failed to implement the settlement award and complete the project. This was a fit case in normal circumstances for dismissal at the threshold. However, this Court issued notice to the builder and landowners.

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Accordingly, this Court on 19/8/2014 issued an order hoping that the matter would be thrashed out by appointing an Administrator or a Receiver. Thereafter, on the appearance of parties by order dated 25/9/2014, this Court appointed Shri V.Ramkumar Nambiar as Administrator/Receiver to workout settlement among the parties. This Court at the outset record that the Administrator Shri V.Ramkumar Nambiar rendered excellent service to the satisfaction of all. His singular effort spreading to more than six years come to a happy end by resolving all disputes among the parties and completing the project. Intervening orders issued by the court came to the aid of all to complete the project. When this judgment being penned down today, the Court records the satisfaction of the parties to the dispute.

6. The registration of the apartments has been completed. There are criminal cases pending against the builder, who have been arrayed as respondents 1 to 4. In the light of the composition before this Court, they can very well move the criminal courts concerned for their discharge. The criminal courts where the criminal cases are pending



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shall consider the composition arrived at before this Court and take an appropriate action to discharge respondents 1 to 4. Similarly there are two apartments remaining unsold.

7. This case has created a history by rendering justice to more than 188 persons and also to the landowner and builder. This case would remain as a pointer to show collaborative efforts would yield results. To conclude, this Court record its appreciation to Shri Ramkumar Nambiar V. for the efforts taken by him to make this case historical.

8. In the light of the conclusion as above, the writ petition is disposed with the following directions:

i. The account maintained by the Administrator with the State Bank of India, High Court Branch, shall be closed and the entire proceeds therein shall be transmitted to the account of the Admiral Towers Residents' Association.

ii. The current account and the Fixed Deposit Account in the name of the Administrator and the petitioner-Society shall be transferred in the name of the Admiral Towers Residents' Association.

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iii. The litigation pending before the Tribunal challenging the permit fee shall be continued by the Admiral Towers Residents' Association.

iv. All assets and liabilities of the petitioner-Society would stand transferred to the name of the Admiral Towers Residents' Association.

v. The Administrator would stand discharged on working out the directions given herein and the employees engaged by him would also stand discharged from today.

vi. The unsold two apartments exclusively belongs to the Admiral Towers Residents' Association. The landowners are directed to execute necessary conveyance deed conveying the undivided share proportionate to the unsold apartments in favour of the nominee of the Admiral Towers Residents' Association or any person chosen by the said Association.

vii. Respondents 1 to 4 are free to move the criminal courts to discharge them as the accused in view of the composition made between the apartment allottees and them.

viii. The land owners shall not convey undivided shares in favour of any person without obtaining no-objection

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certificate from the Admiral Towers Residents' Association.

ix. If the landowners convey undivided right without NOC from the Admiral Towers Residents' Association, they will be liable to recoup the loss to the Association.

x. The Admiral Towers Residents' Association shall take steps to substitute the name of the Administrator before the statutory authorities, immediately.

xi. Report No.16 of the Administrator to record the completion of the project would form part of this judgment.

xii. The Administrator was paid a total remuneration of Rs.33,00,000/-. Taking note of the service for last more than six years, this Court is of the view that the remuneration was insufficient. Accordingly, he is permitted to withdraw a sum of Rs.2,00,000/- (Rupees two lakhs only) from the account of the petitioner-society before transmitting the proceeds in the account. No costs.

Sd/-

**A.MUHAMED MUSTAQUE, JUDGE**

ms

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- :28:-

BEFORE THE HON'BLE HIGH COURT OF KERALA AT ERNAKULAM

W.P(C)No. 18814 /2014

Pranavah Le Royale Investors Welfare Society  
Represented by its Secretary : Petitioner

Vs.

K.B.Ramachandra Menon & Ors. : Respondents

REPORT No.16 FILED BY V.RAMKUMAR NAMBIAR, ADMINISTRATOR/RECEIVER

1. It is respectfully submitted that after being appointed administrator by this Hon'ble Court, I have endeavored to resolve the disputes between the Investors, builders and the Landowners and with the co-operation of all concerned an amicable solution was found and a Tripartite Agreement was entered into between all the three parties and the same has been produced before this Hon'ble Court. Thereafter with the funds invested by the investors, and after complying with all the statutory formalities, the completion of construction of the building was undertaken and the same was completed. In the meanwhile, the name of the building was changed from "Pranavah Le Royale" to "Admiral Towers". The inauguration of the building was officially conducted by Hon'ble Justice K.Surendra Mohan, the then Chairman of KELSA. However since Electrical connection and the Water connection had not been obtained and the building had not yet been numbered by the Thrikkakara Municipality, the investors were not permitted to start residing therein. Thereafter most of the Registrations were completed and the Building numbers were assigned. Electricity connection was also obtained. Water connection by the Kerala Water Authority has not yet been obtained and the application for the same is pending consideration even now. In the meanwhile, after registration, the investors have started moving into the building and now there are many apartments that are occupied. A residents association has been formed by the name of "Admiral Towers Residents Association" and they also have a separate Bank account for the same.



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2. Now since the entire work has been completed, it is only just and proper for the Administrator to exit and let the Association take care of itself for all purposes. For this purpose, the Account now being operated By the Administrator and the Secretary of the Petitioner Society pending before the State Bank of India, High Court Branch in the name of the Petitioner Society shall hereafter stand transferred to the name of the Residents Association including the Fixed Deposits and the Current Account. This shall be monitored and dealt with by the Office bearers of the Association according to their bye-laws. The Litigation pending before the Local Self Government Bodies Tribunal shall hereafter be continued by the Residents Association and the Administrator shall be deleted from the Party Array before the Tribunal. The name of the Administrator shall be removed from all the Statutory Bodies and be transferred to the either the names of the Respective owners or the Residents Association itself. As the Residents association has started functioning, the Petitioner Society need not continue hereafter and directions to wind up the same ought to be issued. The employees appointed by the Administrator for the completion of the Project can hereafter be left to the discretion of the Residents Association as to whether they should be continued or not. All the income and expenditure hereafter shall be dealt with by the Residents Association in accordance with their bye laws.
3. It has been my humble endeavour to comply with the orders of this Hon'ble Court and bring succor to the investors who had invested their hard earned money into this project. I hope and trust that I have been able to do the work satisfactorily.
4. Before parting, I would like to place on record my sincere appreciation to some of the investors who had taken a very active role in the completion of this Project from the beginning till the end. Rear Admiral B.R.Menon(Retd) has been tirelessly toiling at his age to ensure that the construction of the building is completed and is livable in it's present state. I sincerely record my appreciation for his tireless effort and accord my special thanks to him for his unstinted support, without which I would not have been able to complete this project. Mr. Srihari, Mr. A.V.Mathew, Mr.Aravindakshan Nair have worked relentlessly to ensure a proper and sound construction of the building and fulfillment of all the amenities necessary to make the residence lively and homely. Adv.Devan Venugopal, the present President and Mr.Binu Solomon, the present Secretary of the residents Association have also been



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closely working with me to ensure a smooth functioning and transition from the Petitioner Society to the Residents Association. The Office Manager Mr.Basheer and the Office Accountant Mr.Shanu.V.Paul have been extremely helpful and were ready and willing to render all possible help even in the most trying times. I also record my appreciation to all the Lawyers on the side of the Petitioners and all the Respondents who have been extremely co-operative and helpful in successfully completing the construction and bringing the project to its present state. I also take note of the fact that but for the total support and help from Adv.Srikala Krishnadas , such a large number of registrations would not have been possible in an efficient and smooth manner. Last but not the least, I place on record my sincere gratitude to this Hon'ble Court for reposing the faith, trust and confidence in me to undertake this herculean task and bring it to fruition.

Dated this the 29<sup>th</sup> th day of September , 2020.



V.RAMKUMAR NAMBIAR  
Administrator

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APPENDIX

PETITIONER'S EXHIBITS:

- EXHIBIT P1 TRUE COPY OF THE SETTLEMENT AWARD DATED  
06.12.2012
- EXHIBIT P2 TRUE COPY OF THE ORDER IN BA NO.8546/2012 DATED  
19.12.2012 BY THIS HON'BLE COURT
- EXHIBIT P3 TRUE COPY OF THE ORDER IN CRL.MA NO.7274/2013 IN  
BA NO.8546/12 DATED 24.02.2014 BY THIS HON'BLE  
COURT
- EXHIBIT P4 TRUE COPY OF THE ORDER IN CMP NO.1172/2014 IN  
CR. NO.1433/12 ET SOUTH POLICE STATION DATED  
29.04.2014 BY THE ADDL. CHIEF JUDICIAL  
MAGISTRATE COURT, ERNAKULAM
- EXHIBIT P5 TRUE COPY OF THE ESTIMATE BY THE CHARTERED  
ENGINEER
- EXHIBIT P6 TRUE COPY OF THE DETAILS OF THE PAYMENT MADE BY  
THE INVESTORS
- EXHIBIT P6 A TRUE COPY OF THE NEWSPAPER REPORT DATED  
10.10.2013 IN THE INDIAN EXPRESS DAILY
- EXHIBIT P6 B TRUE COPY OF THE NEWSPAPER REPORT DATED  
11.10.2013 IN THE MANGALAM DAILY
- EXHIBIT P6 C TRUE COPY OF THE NEWSPAPER REPORT DATED  
11.10.2013 MALAYALA MANORAMA DAILY
- EXHIBIT P7 TRUE COPY OF ORDER IN CRL.M.C NO.2459/2013 DATED  
02.05.2014 BY THIS HON'BLE COURT
- EXHIBIT P8 TRUE COPY OF THE LIST OF PAYMENT MADE AND PHONE  
NUMBER AND E-MAIL ADDRESS.
- EXHIBIT P9 TRUE COPY OF THE LIST OF PAYMENTS.
- EXHIBIT P10 TRUE COPY OF THE ESTIMATE.
- EXHIBIT P10 A TRUE COPY OF THE ESTIMATE SCHEDULE OF QUANTITY  
AND PRICE.

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- EXHIBIT P11 TRUE COPY OF THE ORDER IN CRL. MA NO.10159/2014  
IN CRL. MC NO.2459/2014 DATED 07/11/2014 BY THIS  
HON'BLE COURT.
- EXHIBIT P12 A TRUE COPY OF THE JUDGMENT DATED 14/08/2014 GIVEN  
BY THE HON'BLE CONSUMER DISPUTES REDRESSAL  
COMMISSION, THIRUVANANTHAPURAM IN CONSUMER  
COMPLAINT NO.CC 27/20120.
- EXHIBIT P13 TRUE COPY OF THE REPRESENTATION DATED 11/07/2016  
BY THE PETITIONER ALONG WITH THE LAND OWNER.
- EXHIBIT P14 TRUE COPY OF THE LIST.
- EXHIBIT P15 TRUE COPY OF THE BROCHURE.
- EXHIBIT P15 A TRUE COPY OF THE SALE DEED DATED 19/03/2009 IN  
THE NAME OF K.K. JOSE.
- EXHIBIT P15 B TRUE COPY OF THE SALE DEED DATED 04/08/2010 IN  
THE NAME OF THE PETITIONER SHAINÉ  
RAVINDRANATHAN.
- EXHIBIT P16 TRUE COPY OF THE ORDER IN WPC NO.18814/2014  
DATED 25/05/2016 ISSUED BY THIS HON'BLE COURT.



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ANNEXURE-A1

(<sup>1</sup>)LIST OF APARTMENTS OF INVESTORS AND LAND OWNERS. LIST OF PERSONS WHO HAVE NOT PAID EVEN THE FIRST INSTALLMENT.

E-MAIL OF MR. SIJU VARGHESE DATED 06/06/2018.

(<sup>1</sup>) produced along with memo dt.11/7/2018 of Administrator

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(<sup>2</sup>)TRUE COPY OF THE ORDER ISSUED BY THE THRIKKAKARA MUNICIPALITY DATED 07.05.2019.

(<sup>2</sup>) produced along with memo dt.19/6/2018 of Administrator

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(<sup>3</sup>)TRUE COPY OF THE ONLINE ARTICLE PUBLISHED BY 'MARUNADAN MALAYALEE' DATED 29.10.2019

(<sup>3</sup>) produced along with memo dt.7/11/2019 of Administrator

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(<sup>4</sup>)TRUE COPY OF THE COMMUNICATION ISSUED BY THE SUPERINTENDENT, OFFICE OF THE SUPERINTENDENT OF CENTRAL TAX AND CENTRAL EXCISE, ERNAKULAM RANGE - 4 DATED 05.11.2019.

(<sup>4</sup>) produced along with memo dt.16/12/2019 of Administrator

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(<sup>5</sup>)TRUE COPY OF THE COMMUNICATION DATED 02.12.2019 ISSUED BY THE SECRETARY, THRIKKAKARA MUNICIPALITY RECEIVED ON 13.12.2019.

(<sup>5</sup>) produced along with MEMO dt.16/12/2019 of Administrator

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(<sup>6</sup>)TRUE COPY OF THE OCCUPANCY CERTIFICATE DATED 20.12.2019 ISSUED BY THE THRIKKAKARA MUNICIPALITY

(<sup>6</sup>) produced along with report 9 dt.6/1/2020 of Administrator

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(<sup>7</sup>)TRUE COPY OF THE CERTIFICATE DATED 20.01.2020 ISSUED BY THE THRIKKAKARA MUNICIPALITY.

(<sup>7</sup>)produced along with report 10 dt.31/1/2020 of Administrator  
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(<sup>8</sup>) TRUE COPY OF THE CALCULATION STATEMENT  
SUBMITTED BY THE WRIT PETITIONER BEFORE THE  
ADMINISTRATOR

(<sup>8</sup>) produced along with report 11 dt.3/3/2020 of  
Administrator

(<sup>9</sup>) TRUE COPY OF THE DETAILS OF 23 APARTMENT  
OWNERS INDICATING THE APARTMENT NUMBER, THE DATE  
OF REGISTRATION, THE DATE OF RECEIPT OF DOCUMENT  
AND THE DATE OF SUBMISSION OF APPLICATION FORMS.

(<sup>9</sup>) produced along with report dt.25/8/2020 of  
Administrator

ANNEXURE A-2

(<sup>10</sup>) TRUE COPY OF THE LIST OF ELEVEN APARTMENT  
OWNERS WHO HAVE NOT PAID THE AMOUNTS DUE BY  
THEM.

(<sup>10</sup>) produced along with report dt.7/9/2020 of  
Administrator

(<sup>11</sup>) TRUE COPY OF THE COMMUNICATION ISSUED BY THE  
THRIKKAKKARA MUNICIPALITY DATED 21.08.2019.

(<sup>11</sup>) produced along with addendum to the memo by  
Administrator on 3/7/2019.

(<sup>12</sup>) TRUE COPY OF INTERIM ORDER OF THIS HON'BLE  
COURT DATED 11.07.2019 IN THIS WRIT PETITION.

(<sup>12</sup>) produced along with report 9 dt.6/1/2020 of  
Administrator

(<sup>13</sup>) TRUE COPY OF THE LIST OF 36 APARTMENTS, THE  
SALE OF WHICH HAD TAKEN PLACE BEFORE THE  
ADMINISTRATOR.

(<sup>13</sup>) produced along with report 10 dt.31/1/2020  
by Administrator.

ANNEXURE A-3

(<sup>14</sup>) TRUE COPY OF THE ORDER OF THE TRIBUNAL FOR  
LOCAL SELF GOVERNMENT INSTITUTIONS,  
THIRUVANANATHAPURAM IN I.A.NO.1105 OF 2019 IN  
APPEAL NO.518 OF 2019 DATED 24.07.2019.

(<sup>14</sup>) produced along with report 9 dt.6/1/2020 of  
Administrator

(<sup>15</sup>) ANNEXURE-A1

TRUE COPY OF THE REGISTERED NOTICE ALONG WITH  
POSTAL RECEIPT ISSUED TO MR. SUBIN (SUNIL)  
GENERAL TRADERS, WEST KARUVELIPADI, KOCHI - 682  
005 DATED 25.09.2017.

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(<sup>15</sup>)ANNEXURE-A2 TRUE COPY OF THE KNOWLEDGMENT CARD OF MR. SUBIN  
(SUNIL) GENERAL TRADERS

(<sup>15</sup>)ANNEXURE-A3 TRUE COPY OF THE REGISTERED NOTICE ALONG WITH  
POSTAL RECEIPT DATED 25.09.2017 ISSUED TO MR.  
SIJU VARGHESE

(<sup>15</sup>)ANNEXURE-A4 TRUE COPY OF THE AKNOWLEDGMENT CARD AKNOWLEDGING  
RECEIPT OF ANNEXURE A-3 NOTICE BY MR. SIJU  
VARGHESE

[(<sup>15</sup>) Annexure A1 to A4 produced along with report No.2 dt  
9/11/2017 of Administrator]

RESPONDENTS' EXHIBITS:

EXHIBIT R3 A TRUE COPY OF THE COMPLAINT FILED BEFORE THE  
C.D.R.C., THIRUVANANTHAPURAM AS C.C.  
NO.27/2012 DATED 16/10/2012.

EXHIBIT R9 A TRUE COPY OF AGREEMENT BETWEEN THE 1ST  
RESPONDENT AND 8TH TO 10TH RESPONDENTS  
DATED 07/07/2006 REGISTERED BEFORE THE  
THRIKKAKKARA SUB REGISTRY AND NUMBERED AS  
DOCUMENT NO.2276/2006.

EXHIBIT R9 B TRUE COPY OF POWER OF ATTORNEY DATED  
07/07/2006 EXECUTED BY THE 8TH TO 10TH  
RESPONDENTS IN FAVOUR OF THE 1ST RESPONDENT  
BUILDER REGISTERED BEFORE THE SRO  
THRIKKAKKARA AS DOCUMENT NO. 257/2006.

EXHIBIT R9 C TRUE COPY OF AGREEMENT DATED 07/02/2013  
EXECUTED BETWEEN THE 1ST RESPONDENT AND 8TH  
TO 10TH RESPONDENT.

EXHIBIT R9 D TRUE COPY OF LETTER DATED 25/07/2012 OF THE  
1ST RESPONDENT TO THE 8TH TO 10TH  
RESPONDENTS.

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- EXHIBIT R9 E TRUE COPY OF DATED 08/07/2014 OF THE 1ST RESPONDENT TO THE 8TH TO 10TH RESPONDENTS.
- EXHIBIT R23 A A TRUE COPY OF THE PAPER PUBLICATION DATED 13/10/2018.
- EXHIBIT R23 B TRUE COPY OF THE EMAIL COMMUNICATION.
- EXHIBIT R23 C TRUE COPY OF THE TRIPARTITE AGREEMENT DATED 25/07/2008 ALONG WITH THE LATEST BANK STATEMENT IN RESPECT OF APARTMENT NO.B-704 AND B-804.
- EXHIBIT R23 D TRUE COPY OF THE TRIPARTITE AGREEMENT DATED 20/01/2009.
- EXHIBIT R23 E TRUE COPY OF THE TRIPARTITE AGREEMENT DATED 13/02/2009.
- EXHIBIT R16 A TRUE PHOTOCOPY OF THE AGREEMENT FOR SALE AND CONSTRUCTION DATED 22/03/2008 BETWEEN THE LAND OWNERS AND BUILDER WITH THE BUYER NAMELY SIJU VARGHESE.
- EXHIBIT R16 B TRUE PHOTOCOPY OF THE SCHEDULE OF THE LOAN AGREEMENT IN LOAN ACCOUNT NO.316356093 BETWEEN THE 16TH RESPONDENT AND SIJU VARGHESE.
- EXHIBIT R16 C TRUE PHOTOCOPY OF THE AGREEMENT FOR SALE AND CONSTRUCTION DATED 17/07/2008 BETWEEN THE LAND OWNERS AND BUILDER WITH THE BUYER NAMELY MRS.DEEPA VINO.
- EXHIBIT R16 D TRUE PHOTOCOPY OF THE SCHEDULE OF THE LOAN AGREEMENT BETWEEN THE 16TH RESPONDENT AND DEEPA VINO DATED 29/07/2008.
- EXHIBIT R16 E TRUE PHOTOCOPY AGREEMENT FOR SALE AND CONSTRUCTION DATED 05/02/2011 BETWEEN THE LAND OWNERS AND BUILDER WITH THE BUYER NAMELY MRS. RINCY P. MATHEW.
- EXHIBIT R16 F PHOTOCOPY OF THE SCHEDULE OF THE LOAN AGREEMENT IN LOAN ACCOUNT NO.601262532 BETWEEN THE 16TH RESPONDENT AND RINCY P. MATHEW.

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EXHIBIT R16 G TRUE PHOTOCOPY OF THE AGREEMENT FOR SALE AND CONSTRUCTION DATED 17/09/2008 BETWEEN THE LAND OWNERS AND BUILDER WITH THE BUYER NAMELY PHILIPH K. NINAN.

EXHIBIT R16 H TRUE PHOTOCOPY OF THE SCHEDULE OF THE LOAN AGREEMENT IN LOAN ACCOUNT NO.601262532 BETWEEN THE 16TH RESPONDENT AND PHILIPH K. NINAN DATED 22/02/2011.

EXHIBIT R15-1 THE PHOTO COPY OF THE CIRCULAR NO 37348/RB1/07/LSGD DATED 3.7.2007

EXHIBIT R15-2 THE PHOTOCOPY OF THE LETTER NO 276/R1B1/2018/LSGD DATED 23.10.2018 ISSUED BY THE UNDER SECRETARY, LOCAL SELF GOVERNMENT DEPARTMENT KERALA

EXHIBIT R15-3 A STATEMENT OF CALCULATION OF THE FEE TO BE PAID TO THE MUNICIPALITY

ANNEXURE R39 (a) A COPY OF THE LETTER DATED 28.01.2019

ANNEXURE R39 (b) A COPY OF THE CIRCULAR NO.37348/RB1/207/LSGD DATED 03.07.2007