

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY ,THE 28TH DAY OF DECEMBER 2018 / 7TH POUSHA, 1940

WP(C) .No. 42533 of 2018

PETITIONERS:

- 1 SOMASEKHARAN NAIR M.B.
 AGED 60 YEARS
 S/O BALAKRISHNAN NAIR,MADATHIL
 HOUSE,KARUVANCHAL.P.O,
 ALAKODE (VIA) ,KANNUR DISTRICT,PIN-670571 .
- 2 TOJO.K.T
 AGED 43 YEARS
 S/O THOMAS ,KATTACKAL HOUSE,VELLAD.P.O,
 ALAKODE ,KANNUR,PIN-670571 .
- 3 RATNAKARAN.K.V
 AGED 58 YEARS
 S/O.P.P.GOPALAN,NARMA,KARUVANCHAL.P.O,ALAKODE,
 KANNUR,PIN-670571 .
- 4 SURAJ.P
 AGED 45 YEARS
 S/O.P.V.KURIAKOSE,PUTHIYIDATH PAZHOOHADATHIL
 HOUSE,
 PADAPPENGAD.P.O,CHAPPARAPADAVU VIA,KANNUR-
 670581 .
- 5 THRESYA
 AGED 71 YEARS
 W/O.DEVASSIA (LATE) ,KARAMKUNNEL
 HOUSE,P.O.VELLAD,
 VIA ALAKKODE,KANNUR-670571 .

6 K.M.SATHEESH KUMAR
AGED 61 YEARS
S/O.LATE MADHAVAN,SREEVILASAM,P.O.NELLIPPARA,
VIA ALAKODE,KANNUR-670571.

BY ADVS.
SRI.KALEESWARAM RAJ
KUM.A.ARUNA
KUM.THULASI K. RAJ
SMT.RIYA RAYMOL IYPE
SRI.VARUN C.VIJAY

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO
GOVERNMENT,LOCAL SELF GOVERNMENT
DEPARTMENT,SECRETARIAT,THIRUVANANTHAPURAM-
695001.
- 2 THE DISTRICT COLLECTOR,
COLLECTORATE,KANNUR ,PIN-
- 3 NADUVIL GRAMA PANCHAYAT
REPRESENTED BY THE SECRETARY,NADUVIL.P.O,
THALIPARAMBU TALUK,KANNUR,PIN-670582.
- 4 FR.THOMAS VADAKEMURI,
DIRECTOR,ST.JOSEPH HOSPITAL,KARUVANCHAL,
KANNUR DISTRICT,PIN-670571.

OTHER PRESENT:

B UNNIKRISHNA KAIMAL GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
28.12.2018, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

JUDGMENT

Petitioners confined their relief for the early disposal of Ext.P5 appeal by the 1st respondent.

2. There shall be a direction to the 1st respondent to take a decision on Ext.P5 within a period of two months after hearing the petitioners and the 4th respondent. Petitioners shall move the 1st respondent for interim relief. If the petitioners file an application for interim relief before the first respondent, that shall be taken up and appropriate orders shall be passed within ten days. Till passing of such order, *status quo* shall be maintained.

The writ petition is disposed of as above.

SD/-

A.MUHAMED MUSTAQUE

JUDGE

APPENDIX

PETITIONERS EXHIBITS:

EXHIBIT P1	TRUE COPY OF THE NOTICE DATED 21.1.2018
EXHIBIT P2	TRUE COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT FOR HEARING ON 11.4.2018
EXHIBIT P3	TRUE COPY OF THE ORDER NO.DCKNR/9458/2016-D2 DATED 12.7.2018 ISSUED BY THE 2ND RESPONDENT.
EXHIBIT P4	TRUE COPY OF THE REPORT OF THE WORLD HEALTH ORGANIZATION TITLED 'THE IMPACT OF CEMETERIES ON THE ENVIRONMENT AND PUBLIC HEALTHY' 1988.
EXHIBIT P5	TRUE COPY OF THE APPEAL SUBMITTED BY THE AGGRIEVED PERSONS BEFORE THE 1ST RESPONDENT.

RESPONDENT EXHIBITS: NIL

//TRUE COPY//

P.A to Judge

SJ