
(2021) 07 KL CK 0235

In the High Court Of Kerala

Case No : IA.NO.1 Of 2021 In Writ Petition (C) No. 14302 Of 2021(K)

Young Mens Christian Association (YMCA)

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 20-07-2021

Acts Referred:

Citation : (2021) 07 KL CK 0235

Hon'ble Judges : P.V.Kunhikrishnan, J

Bench : Single Bench

Advocate : Vinod Ravindranath, Meena.A., K.C.Kiran, M.R.Mini, M.Devesh,
Ashwin Sathyanath, Anish Antony Anathazhath, Thareeq Anver K

Judgement

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P.V.Kunhikrishnan, J

1. When this writ petition came up for consideration on 16.07.2021 this Court passed an order, which is extracted hereunder;

â?? Admit. Sri.Jaffer, the learned Government Pleader, takes notice for the respondents.

2. Sri. T. Krishnan Unni, the learned senior counsel appearing for the petitioner, as instructed by Smt. Meena A., contended by referring to Ext.P1 order that the same

was signed by the Additional Chief Secretary only on 14.07.2021 at 5.07 pm. According to the learned counsel, Ext.P2 notice calling upon the petitioner to vacate the

premises granting 24 hours time was issued on 15.07.2021. This is without even granting the petitioner a breathing time to challenge Ext.P1 order. The learned senior

counsel would vehemently argue that malafides are writ large. Finally, it is

submitted that the order has not been executed till date.

3. The learned Government Pleader submits that on 16.07.2021 at 10.05 am, on the strength of Ext.P1 order, the possession of the property was taken and a mahazar

was prepared. A copy of the mahazar prepared today at 10.05 am was made available. It is contended by the learned Government Pleader that immediately thereafter,

the office of the Special Tahsildar (LA), NHAI was shifted to the premises.

4. From the submissions of the learned Government Pleader and from the records handed over, it appears that the order has been executed. However, this fact is

vehemently countered by the learned senior counsel.

5. This writ petition was filed as today moving and had come up for admission at 2.15 pm on 16.7.2021. The status quo as existing at 2.15 pm on 16.7.2021 shall be

maintained.

Post after ten days.

The respondents shall file their counter within such time.â??

2. Today, an urgent petition was moved by the petitioner and the matter came up for consideration at 2.30 p.m. The learned Senior Counsel submitted

that, the status quo order passed by this Court is interpreted by the respondents wrongly and the petitioner and other inmates of the YMCA, Kollam

are going to be evicted. I think, there is some force in the argument of the learned Senior Counsel.

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3. Therefore, there will be an interim direction not to evict the petitioner and other inmates of YMCA, Kollam for a period of one week.

Post on 28.07.2021.