

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE
&
THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON
Tuesday, the 26th day of August 2025 / 4th Bhadra, 1947
WP(C) NO. 20253 OF 2021(S)

PETITIONER:

SHAJI J.KODANKANDATH, AGED 51 YEARS, S/O.JOSE KODANKANDATH,
SNEHA ROSE VILLA, KODANKANDATH HOUSE, CHEMBUKAVU P.O.,
THRISSUR-20.

RESPONDENTS:

- 1. THE UNION OF INDIA, THROUGH SECRETARY, DEPARTMENT OF
ROAD TRANSPORT AND HIGHWAY, NEW DELHI-110 001.**
- 2. THE CHAIRMAN, NATIONAL HIGHWAYS AUTHORITY OF INDIA,
G-5 & 6, SECTION-10, DWARKA, NEW DELHI-110 075.**
- 3. THE STATE OF KERALA, REPRESENTED BY THE SECRETARY TO
GOVERNMENT, PUBLIC WORKS DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 4. GURUVAYOOR INFRASTRUCTURE PVT.LTD., PRESENTLY HAVING
ITS REGISTERED OFFICE AT DOOR, NO.1-80/40/SP/58-65,
SHILPA HOMES LAYOUT, GACHI BOWLI, HYDERABAD-500 032,
REP. BY ITS AUTHORIZED SIGNATORY, SREEKUMAR M.V,
S/O.LATE K.E.NAIR, AGED 65, R/O 178, GIRINAGAR,
KADAVANTHARA, ERNAKULAM-682 020.**

ADDITIONAL R5 IMPLEADED

- 5. M/S. PST ENGINEERING CONSTRUCTION, 2/352, VAVIPALAYAM,
KOLARAM (P.O.), PARAMATHY VELUR (TK), NAMAKKAL (DISTRICT),
TAMIL NADU, PIN - 637 201.**

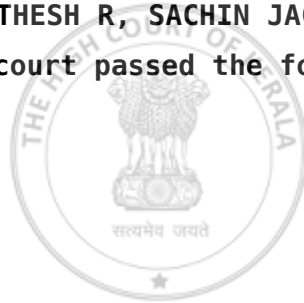
**ADDL.R5 IS SUO MOTU IMPLEADED AS PER ORDER DATED
21/08/2025 IN WP(C) 20253/2021.**

P.T.O

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 stay the operation of Exhibit P6 notification, pending final disposal of the above writ petition.

This petition again coming on for orders upon perusing the petition and the affidavit filed in support of WP(C), this Court's order dated 21/08/2025 and upon hearing the arguments of M/S. K.B.GANGESH, SMITHA CHATHANARAMBATH, AMAL S.KUMAR & ATHIRA A.MENON, Advocates for the petitioner, SMT. O.M.SHALINA, DEPUTY SOLICITOR GENERAL OF INDIA for R1, SRI.SANTHOSH MATHEW, SENIOR ADVOCATE a/w M/S. NANAVATHI MAULIK.G, ARUN THOMAS, JENNIS STEPHEN & ANIL SEBASTIAN PULICKAL, Advocates for R2, GOVERNMENT PLEADER for R3, SRI. S SREEKUMAR (SENIOR ADVOCATE) along with M/S. P MARTIN JOSE, P PRAJITH, THOMAS P KURUVILA, HARIKRISHNAN.S, AJAY BEN JOSE, MANJUNATH MENON, HANI P NAIR, GITHESH R, SACHIN JACOB AMBAT & ANNA LINDA V.J., Advocates for R4, the court passed the following:

P.T.O.



A.MUHAMED MUSTAQUE & HARISANKAR V. MENON , JJ.

**W.P.(C)Nos.20253 of 2021, 27586 of 2022,
28609 of 2023, 18735 of 2025
&
W.P.(PIL)No.35 of 2025**

Dated this the 26th day of August, 2025

ORDER

A.Muhamed Mustaque, J.

The report dated 25.08.2025 of the Interim Traffic Managment Committee (hereinafter referred to as the "Interim Committee") is on board. The Committee has conducted an inspection on 23.08.2025 at multiple locations along the National Highway. The findings of the inspection, as well as the recommendations, are reflected in the report. It is appropriate to extract the concluding portion of the report, which reads as follows;

"It is respectfully submitted that, after detailed examination of traffic patterns, road capacity, and diversion feasibility, the committee has concluded that the only lasting and sustainable solution is the systematic repair and strengthening of all service roads adjoining the ongoing construction sites. These roads presently bear the impact of

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diverted traffic but lack the structural capacity to handle sustained loads. The committee therefore recommends that, wherever technical feasibility and safety parameters permit, such service roads be widened to two lanes and upgraded to standards capable of carrying main carriageway traffic volumes on a long-term basis. Further, in compliance with the directions of the Hon'ble Court, the Committee recommends that traffic diversions be institutionalised as an interim arrangement until the permanent works are completed, enabling uniform and coordinated management of traffic across all critical points. Light motor vehicles may be diverted wherever necessary and whenever required, while restrictions on heavy vehicles shall be imposed only in exigent circumstances, based on real-time traffic conditions and safety considerations.

2. The learned Standing Counsel for the National Highway submits that several works have been undertaken, resulting in smooth traffic movement. Therefore, we order that the Interim Committee to conduct a fresh inspection in the presence of the National Highway officials.

3. The learned Standing Counsel requested that the matter be listed atleast during vacation, to enable lifting of the interim order suspending the collection of tolls.

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4. The learned counsel for the petitioners submit that the issue regarding traffic congestion still persists on account of the non-maintenance of the service roads, and therefore, the matter may be listed after Onam holidays.

5. We perused the report. As of now, the congestion continues. It is for the Interim Committee to hold an inspection in the presence of the National Highway officials and others, after giving due notice to them to report about any circumstances related to the decongestion of the traffic as well as on the maintenance work undertaken. The inspection shall be conducted during this week or next week.

Post on 09.09.2025.

The interim order already passed in these matters shall continue till then.

Sd/-

**A.MUHAMED MUSTAQUE
JUDGE**

Sd/-

**HARISANKAR V. MENON
JUDGE**

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