

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE
&
THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON**

**Thursday, the 25th day of September 2025 / 3rd Aswina, 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 IMPEADED

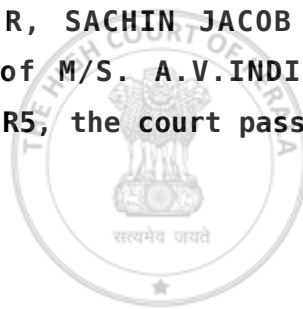
- 5. M/S. PST ENGINEERING CONSTRUCTION, 2/352, VAVIPALAYAM,
KOLARAM (P.O.), PARAMATHY VELUR (TK), NAMAKKAL (DISTRICT),
TAMIL NADU, PIN - 637 201.**
- ADDL.R5 IS SUO MOTU IMPEADED AS PER ORDER DATED
21/08/2025 IN WP(C) 20253/2021.**

P.T.0

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 22/09/2025 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. NANA VATHI 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 and of M/S. A.V.INDIRA, SREEDEVI S. & ANANDHU SATHEESH, Advocates for R5, the court passed the following:

P.T.O.



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

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Dated this the 25th day of September, 2025

ORDER

A. Muhamed Mustaque, J.

The District Collector, Thrissur, appeared online and submitted that the National Highways Authority of India (NHA) has not fully complied with all the directions issued to ensure safe traffic as directed by this Court. A report dated 24.09.2025 is submitted by the District Collector, Thrissur. In the report submitted before us, it is stated that there was heavy traffic congestion due to the work being undertaken. It is appropriate to refer to the observations made by the Committee in the said report as follows: -

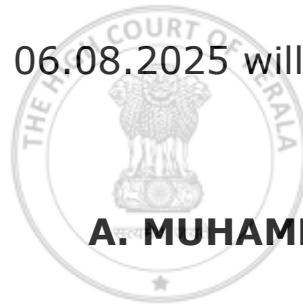
"The Committee underscores the need for immediate and sustained protective measures, as highlighted in Points 4 and 15 of the report dated 15.09.2025 and restated in the preliminary observations of the report dated 17.09.2025. These measures include installation of effective fall protection systems, proper drainage management, shoring of excavation cuttings, adequate lighting, and provision of high-quality safety installations. Such interventions are critical for preventing further road edge collapses and ensuring the safe movement of traffic. The reports indicate that incidents similar to the one

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at Muringoor may arise in other construction zones until the RE wall works at the said locations are completed to a level above the finished road level (FRL) of the service road, a possibility evident from NHAI's submissions. The Committee also emphasizes that only the expeditious completion of the underpass construction works can ensure a sustainable and lasting solution for traffic management in these critical stretches."

In the light of the above, we adjourn this matter to 30.09.2025, to get a further report as to the completion of the work undertaken by the NHAI. The suspension of toll collection as per the order dated 06.08.2025 will continue.



Sd/-

A. MUHAMED MUSTAQUE, JUDGE

Sd/-

HARISANKAR V. MENON, JUDGE

saap