

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN**

**Wednesday, the 27th day of August 2025 / 5th Bhadra, 1947
WP(C) NO. 32680 OF 2008**

PETITIONER:

1. C.P.AJITHKUMAR AGED 41 YEARS PROPRIETOR, SUBURBAN TRAVELS, MAMANGALAM, COCHIN-24, (PRESIDENT, TRAVEL, OPERATORS ASSOCIATION OF KERALA).
2. KERALA MERCHANTS UNION (FORMERLY ERNAKULAM MERCHANTS UNION), MERCHANTS UNION BUILDING, MERCHANTS UNION ROAD, COCHIN-11, REPRESENTED BY ITS GENERAL SECRETARY.

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY SECRETARY TO GOVERNMENT, PUBLIC WORKS DEPARTMENT, (ROADS), GOVT.SECRETARIAT, TRIVANDRUM.
2. THE SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, GOVT.SECRETARIAT, TRIVANDRUM.
3. THE CHIEF ENGINEER, PUBLIC WORKS DEPARTMENT (ROADS), TRIVANDRUM.
4. CORPORATION OF COCHIN, REPRESENTED BY ITS SECRETARY, BOAT JETTY, ERNAKULAM.
5. GREATER COCHIN DEVELOPMENT AUTHORITY, KADAVANTHARA, ERNAKULAM, COCHIN-20, REPRESENTED BY ITS SECRETARY.
6. ADDL.R6.THE CHIEF ENGINEER, (NATIONAL HIGHWAYS), TRIVANDRUM-695033.
7. ADDL.R7.THE REGIONAL OFFICER, NATIONAL HIGHWAY AUTHORITY OF INDIA, OFFICE OF THE CHIEF ENGINEER, (NATIONAL HIGHWAYS), TRIVANDRUM-695033. (ADDDL. R6 AND R7 ARE IMPEADED AS PER ORDER DATED 28.11.2088 INIA.15338/2008).
8. ADDL.R8.THE PROJECT DIRECTOR, PROJECT IMPLEMENTATION UNIT COCHIN, NATIONAL HIGHWAY AUTHORITY OF INDIA, MANGALYA VAIDHYA MADOM, VYTILA, ERNAKULAM.
9. ADDL.R9.THE PROJECT DIRECTOR, PROJECT IMPLEMENTATION UNIT PALAKKAD, NATIONAL HIGHWAY AUTHORITY OF INDIA, ARMUGHAM COLONY, CHANDRA NAGAR, PALAKKAD. (ADDL.R8 AND R9 ARE IMPEADED AS PER ORDER DATED 17.12.2008 IN .I.A.16206/2008.)
10. ADDL.R10.UNION OF INDIA, REP. BY SECRETARY TO GOVERNMENT, MINISTRY OF SURFACE TRANSPORT, CENTRAL SECRETARIAT, NEW DELHI. (ADDL.R10 IS IMPEADED AS PER ORDER 30.03.2009 DATED IN I.A.4647/2009.)
11. ADDL. R11 CENTRE FOR CONSUMER EDUCATION, MARKET ROAD, PALAI, REPRESENTED BY ITS MANAGING TRUSTEE DEJO KAPPAN, AGED 54, S/O.LATE K.C.JOSEPH, RESIDING AT 17 A, PRESIDENCY HOMES, KALOOR, ERNAKULAM. (ADDL.R11 IS IMPEADED AS PER ORDER 12.10.2011 DATED IN IA.15616/2011.)
12. ADDL.R12. KERALA GOVERNMENT CONTRACTORS ASSOCIATION, HEAD OFFICE SREEKUMAR BUILDING, IRON BRIDGES.P.O., ALAPPUZHA-688001, REPRESENTED BY ITS PRESIDENT VARGHESE KANNAMPALLY
13. ADDL.R13. P.R.ASHOKUMAR, RAMAPRIYA, PARAYAKADU.P.O., CHERTHALA, ALAPPUZHA DISTRICT-688001. (ADDL.R12 AND R13 ARE IMPEADED AS PER

ORDER DATED 18.10.2011 IN I.A.15475/2011.)

14. ADDL.R14.THE DISTRICT COLLECTOR, ERNAKULAM.(ADDL.R14 IS SUO MOTU IMPEADED AS PER ORDER DATED 11.10.2019 IN WPC.)
15. ADDL.R15. THE PROJECT DIRECTOR, NATIONAL HIGHWAY AUTHORITY OF INDIA, ERNAKULAMIS SUO MOTU IMPEADED AS ADDL. R15 AS PER ORDER DATED 17.12.2021 IN WP(C) 32680/2008.
16. ADDL R16 THE COMMISSIONER OF POLICE, KOCHI. (IS SUO MOTU IMPEADED AS ADDL.R16 AS PER ORDER DATED 14-01-2022 IN WP(C) 32680/2008).
17. ADDL.R17. COCHIN SMART MISSION LIMITED, 4TH FLOOR, JLN STADIUM METRO STATION, KALOOR, KOCHI- 682017(IS SUO MOTU IMPEADED AS ADDITIONAL R17 AS PER ORDER DATED 01.08.2022 IN WP(C) 32680/2008.)
18. ADDL. R18.REGIONAL OFFICER, NHA, THIRUVANANTHAPURAM IS SUO MOTU IMPEADED AS ADDITIONAL R18 AS PER ORDER DATED 08/08/2022 IN WP(C) 32680/2008.
19. ADDL. R19. THE TRANSPORT COMMISSIONER, TRAN SPORT COMMISSIONERATE, 2ND FLOOR, TRANS TOWER, C.V.RAMAN PILLAI ROAD, DPT, VAZHUTHACAUD, THIRUVANANTHAPURAM, KERALA- 695014 IS SUO MOTU IMPEADED AS ADDITIONAL R19 AS PER ORDER DATED 06.10.2022 IN WP(C) 32680/2008.
20. ADDL. R20. JAMSHEED HAFIZ, S/O. MOOSAKUTTY, AGED 39 YEARS, NEETHINILAYAM, TIRUR, MALAPPURAM DISTRICT, PIN- 676104, PRESENTLY RESIDING AT FLAT NO.B2, FIRST FLOOR, K.N.ARCACADE, PHASE -II, KELAMANGALATH CROSS ROAD, SRM ROAD, ERNAKULAM 18 IS IMPEADED AS ADDL. R20 AS PER ORDER DATED 28.10.2022 IN I.A.2/2022.
21. ADDL.R21. KERALA STATE ELECTRICITY BOARD, REPRESENTED BY THE SECRETARY, VYDYUTHI BHAVANAM, PATTON, THIRUVANANTHAPURAM 695004 IS SUO MOTU IMPEADED AS ADDL. R21 AS PER ORDER DATED 10.11.2022 IN WP(C) 32680/2008.
22. ADDL. R22. EDRAAC (ERNAKULAM DISTRICT RESIDENTS' ASSOCIATION'S APEX COUNCIL) REG. NO. ER/735/03, CORPORATION SHOPPING COMPLEX, SUBHASH CHANDRA BOSE ROAD JUNCTION, PONNURUNNI, VYTTILA, COCHIN ADDITIONAL R22 IMPEADED AS PER THE ORDER DATED 08.03.2023 IN I.A. 1/2023.

BY SRI K.V. MANOJ KUMAR, SENIOR GOVERNMENT PLEADER FOR R1 TO R3, R14 AND R16.

BY SRI. K. JANARDHANA SHENOY, STANDING COUNSEL FOR R4.

BY SRI M K THANKAPPAN ,ADVOCATE FOR R5

BY SRI. SEBASTIAN THOMAS, SR. K.V. KURIAKOSE AND SRI. LIJO JOSEPH GEORGE ADVOCATES FOR R6 AND R7.

BY SRI. THOMAS ANTONY, ADVOCATE FOR R8 AND R9.

BY SRI. S. KRISHNAMOORTHY, CENTRAL GOVERNMENT COUNSEL FOR R10.

BY SRI. JOHNSON MANAYANI, ADVOCATE FOR R11.

BY SRI. JOMY GEORGE, ADVOCATE FOR R12 AND R13.

BY SMT. M U VIJAYALAKSHMI ,STANDING COUNSEL FOR ADDITIONAL R18

BY SRI. LEJO GEORGE, STANDING COUNSEL FOR ADDL. R18.

BY SRI. RILGIN V GEORGE, ADVOCATE FOR ADDL. R20.

BY SRI. B. ARUNKUMAR, STANDING COUNSEL FOR ADDL. R21.

BY M/S ATUL SOHAN, R. REJI & SREEJA SOHAN.K, ADVOCATES FOR ADDL. R22.

BY SRI. SANTHOSH PODUVAL, STANDING COUNSEL, TRICHUR CORPORATION

BY SRI. S. KRISHNA, SRI. P. DEEPAK & SRI. VINOD BHAT, AMICI CURIAE.

This Writ Petition (Civil) having come up for orders on 27-08-2025, upon perusing this court's judgement dated 18-10-2019 and order dated 21-08-2025, the court on the same day passed the following:



DEVAN RAMACHANDRAN, J.

I.A.No.1/2025 in WP(C)No.32680/2008

Dated this the 27th day of August, 2025

O R D E R

This Court had, by the order dated 21.08.2025, directed the Engineers of the roads, which remain unrepaired even today, to be present in person.

Sri.Janardhana Shenoy – learned Standing Counsel for the Corporation of Kochi, however, submitted that works in all the roads have either been completed, or are in the process of completion. He, therefore, requested that the Engineers be not summoned today. He pointed out that his Memo dated 26.08.2025 contains the details of all works done, or which are continuing.

Sri.K.V.Manoj Kumar – learned Senior Government Pleader, has filed a Memo dated 25.08.2025, enclosing therewith the Action Taken Report with respect to the steps taken for making roads safe from erratic and dangerous traffic. The same is

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recorded and the Police and other Authorities are directed to continue their drive, to make sure that our roads are kept safe perennially and not for a short duration.

Coming to the condition of roads in Kerala, this Court is aware that Safety and Quality Audit of have been called for. On the last posting date, Sri.K.V.Manoj Kumar requested for more time, which was granted. So I refrain from speaking anything about it at this stage.

As regards the roads in the Corporation of Kochi, the learned Amici Curiae are directed to verify the Memo of Sri.Janardhana Shenoy and make submissions as required on the next posting date.

The learned Amicus Curiae – Sri.A.G.Sunil Kumar, however, mentioned specifically about the ‘Thammanam-Pulleppady’ road; but I notice that this is also a part of the Report now filed, along with the Memo of Sri.Janardhana Shenoy. Obviously, this also should be verified by the learned Amici Curiae.

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I, however, direct the Engineers and Authorities to ensure that the works are progressed in full swing without any delay.

Post for further consideration on 11.09.2025.

Sd/-

DEVAN RAMACHANDRAN,

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JUDGE