



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :1:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

MONDAY, THE 3rd DAY OF FEBRUARY 2025 / 14TH MAGHA, 1946

WP(C) NO. 40178 OF 2023

PETITIONER:

CIBY GEORGE, AGED 56 YEARS,
C-0101, AWHO CHANDERKUNJ, SILVER SAND ISLAND,
VYTILA P.O, ERNAKULAM, PIN - 682019

BY ADV CIBY GEORGE, (Party-In-Person)

RESPONDENTS:

- 1 DISTRICT COLLECTOR,
COLLECTORATE, KAKKANAD, ERNAKULAM, PIN - 682030
- 2 SECRETARY, TRIPUNITHURA MUNICIPALITY,
TRIPUNITHURA, ERNAKULAM, PIN - 682301
- 3 EXECUTIVE ENGINEER, PWD BUILDING DIVISION,
EDAPALLY JUNCTION, EDAPALLY, ERNAKULAM, PIN - 682024
- 4 SECRETARY, GREATER KOCHIN DEVELOPMENT AUTHORITY,
P.B.NO.2012, KOCHI, PIN - 682020
- 5 MANAGING DIRECTOR, ARMY WELFARE HOUSING ORGANISATION,
SOUTH HUTMENTS, KASHMIR HOUSE, RAJAJI MARG, NEW DELHI,
PIN - 110011

ADDL.R6 RESIDENTS WELFARE ASSOCIATION,
REPRESENTED BY ITS PRESIDENT, CHANDERKUNJ ARMY TOWERS
APARTMENT OWNERS ASSOCIATION, AWHO APARTMENT COMPLEX,
SILVER SAND ISLAND, VYTILA P.O, KOCHI-682019.
[ADDL.R6 IS IMPEADED AS PER ORDER DATED 07.02.2024 IN
I.A-1/2024 IN WP(C) 40178/2023]

BY ADVS. C.ANCHALA
GEORGE CHERIAN
SABU M R
FASILUL FAHMIDA K.
P.T.MOHANKUMAR



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :2:

RAJESH CHERIAN KARIPPAPARAMBIL
BEA MARY BENNY
BENNY GERVACIS (SR.)
SREEDHAR RAVINDRAN(K/559/2012)
SRI.VIPIN P.VARGHESE, SC, GCDA
SRI. K.S.ARUN KUMAR, SC, TRIPUNITHARA MUNICIPALITY
BY GOVERNMENT PLEADER SRI SREEJITH V.S.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10.01.2025, ALONG WITH WP(C).10400/2024, 20298/2024 AND CONNECTED
CASES, THE COURT ON 03.02.2025 DELIVERED THE FOLLOWING:



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :3:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

MONDAY, THE 3rd DAY OF FEBRUARY 2025 / 14TH MAGHA, 1946

WP(C) NO. 10400 OF 2024

PETITIONERS:

- 1 SAJI THOMAS, AGED 57 YEARS, S/O P.V. THOMAS,17, DA2, KENT
GLASS HOUSE, VYTTILA P.O., ERNAKULAM DISTRICT, PIN - 682019
- 2 LT. COL. SMITHARANI EDAPPATTU NARAYANAN,
AGED 48 YEARS,W/O. KISHOR PINDANIYIL RAJAPPAN, B2503,
CHANDER KUNJ, SILVER SAND ISLAND, VYTTILA P.O.,
ERNAKULAM, PIN - 682019
- 3 SAJIE SHANKAR, SON OF (LATE) K.P. SANKARAN NAIR, FLAT NO. C
03034, CHANDER KUNJ TOWER, SILVER SAND, VYTTILA-P.O.,
ERNAKULAM DISTRICT, PIN - 682019
- 4 CHANDER KUNJ WELFARE MAINTENANCE SOCIETY,
AGED 48 YEARS, REPRESENTED BY ITS PRESIDENT, SAJIE SHANKAR
CHANDERKUNJ TOWER, SILVER SAND, VYTTILA-P.O.,
ERNAKULAM DISTRICT, PIN - 682019

BY ADVS. JACOB MATHEW MANALIL
PRIYA ELIZABETH BABU
HRISHIKESH JAYASARMAN

RESPONDENTS:

- 1 SECRETARY, TRIPUNTIHURA MUNICIPAL COUNCIL,
TRIPUNITHURA MUNICIPALITY, TRIPUNITHURA, ERNAKULAM
DISTRICT, PIN - 682301
- 2 DISTRICT COLLECTOR, ERNAKULAM COLLECTORATE, KAKKANAD,
ERNAKULAM, PIN - 682030
- 3 SECRETARY, MINISTRY OF DEFENCE, 101-A, SOUTH BLOCK,
NEW DELHI, PIN - 110011
- 4 ARMY WELFARE HOUSING ORGANISATION, (AWHO),
REPRESENTED BY ITS MANAGING DIRECTOR, SOUTH HUTMENTS,
KASHMIR HOUSE, RAJAJI MARG, NEW DELHI, PIN - 110011



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :4:

- 5 B.R.AJIT, ARCHITECT,AJIT ASSOCIATES, SILVER SAND ISLAND,
VYTTILLA P.O., KOCHI, PIN - 682019
- 6 CHANDERKUNJ ARMY TOWERS APARTMENT OWNERS ASSOCIATION
(CATAOA),REPRESENTED BY ITS PRESIDENT, MAJOR GENERAL.
P.RAJAGOPAL, CHANDERKUNJ ARMY TOWERS, SILVER SAND ISLAND,
VYTTILLA P.O., KOCHI, PIN - 682019
- 7 SILPA PROJECTS AND INFRASTRUCTURE INDIA PRIVATE LIMITED,
65/847-848, 3RD FLOOR, NORTH AVENUE, PARAMARA ROAD, KOCHI,
PIN - 682018
- 8 BOARD OF GOVERNORS OF AWHO, REPRESENTED BY ITS PRESIDENT,
CHIEF OF ARMY STAFF,IHQ OF ARMY, SOUTH BLOCK, NEW DELHI,
PIN - 110011

BY ADVS. BEA MARY BENNY
G.HARIKUMAR (GOPINATHAN NAIR)
APARNA RAJAN
RANJITH VARGHESE
RAHUL VARGHESE
K.L.VARGHESE (SR.)
SANTHA VARGHESE
GEO KENNEDY K.
RANJAN BABU JOSEPH
SREEDHAR RAVINDRAN(K/559/2012)
SRI. T.C.KRISHNA, DSGI
SHRI.S.MANU
SRI.C.V.MANUVILSAN
SHRI.K.S.ARUN KUMAR, SC
BY GOVERNMENT PLEADER SRI. SREEJITH V.S.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10.01.2025, ALONG WITH WP(C).40178/2023 AND CONNECTED CASES, THE COURT
ON 03.02.2025 DELIVERED THE FOLLOWING:



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :5:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

MONDAY, THE 3rd DAY OF FEBRUARY 2025 / 14TH MAGHA, 1946

WP(C) NO. 20298 OF 2024

PETITIONER:

LT. CDR. V. V. KRISHNAN, AGED 43 YEARS, S/O V. R.
VASUDEVAN, RESIDING AT FLAT NO. B2204, B TOWER CHANDER KUNJ
ARMY TOWERS, SILVER SAND ISLAND, VYTILLA, ERNAKULAM
DISTRICT, KERALA, PIN - 682019

BY ADVS. K.SHAJ
BEENA N.KARTHA
C.IJLAL
ARUN CHAND
BHARAT VIJAY P.
MINU VITTORRIA PAULSON
GOPIKA GOPAL
ARCHANA P.P.
AKHILA HUSSAIN Z.

RESPONDENTS:

- 1 THE UNION OF INDIA, REPRESENTED BY ITS SECRETARY TO
GOVERNMENT, MINISTRY OF HOME AFFAIRS, NORTH BLOCK,
NEW DELHI, PIN - 110001
- 2 THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE,
GOVERNMENT OF INDIA, REPRESENTED BY ITS SECRETARY, INDIRA
PARYAVARAN BHAWAN JORBAGH ROAD, NEW DELHI, PIN - 110003
- 3 THE DEPUTY DIRECTOR GENERAL OF FORESTS (C),
INTEGRATED REGIONAL OFFICE, BANGALORE, MINISTRY OF
ENVIRONMENT, FOREST AND CLIMATE CHANGE, INTEGRATED REGIONAL
OFFICE KENDRIYA SADAN, 4TH FLOOR, E&F WINGS, 17TH MAIN
ROAD, KORAMANGALA II BLOCK, BANGALORE, PIN - 560034
- 4 THE MINISTRY OF DEFENCE,
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT,
GOVERNMENT OF INDIA, SOUTH BLOCK, CABINET SECRETARIAT,
RAISINA HILL, NEW DELHI, PIN - 110011



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :6:

- 5 THE DEPARTMENT OF DEFENCE,
REPRESENTED BY THE DEFENCE SECRETARY, GOVERNMENT OF INDIA,
ROOM NO. 6-A, SOUTH BLOCK, CABINET SECRETARIAT,
RAISINA HILL, NEW DELHI, PIN - 110011
- 6 THE DEPARTMENT OF EX-SERVICEMEN WELFARE,
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT, 99-A,
SOUTH BLOCK, CABINET SECRETARIAT, RAISINA HILL, NEW DELHI,
PIN - 110011
- 7 THE ARMY WELFARE HOUSING ORGANISATION (AWHO),
REPRESENTED BY ITS MANAGING DIRECTOR, SOUTH HUTMENTS,
KASHMIR HOUSE, RAJAJI MARG, NEW DELHI, PIN - 110011
- 8 GURDEEP SINGH, FORMER MD, ARMY WELFARE HOUSING ORGANIZATION
(AWHO), RESIDING AT H.NO.45A, SECTOR 15A, NOIDA,
PIN - 201301
- 9 THE BOARD OF GOVERNORS,
REPRESENTED BY THE CHIEF OF THE ARMY STAFF AND PRESIDENT,
IHQ OF MOD (ARMY), SENA BHAWAN, NEW DELHI, PIN - 110001
- 10 THE CHIEF OF THE ARMY STAFF, IHQ OF MOD (ARMY), SENA
BHAWAN, NEW DELHI, PIN - 110001
- 11 THE ADJUTANT GENERAL,
IHQ OF MOD (ARMY), "B" WING, SENA BHAWAN, NEW DELHI,
PIN - 110001
- 12 REGIONAL OFFICE, ARMY WELFARE HOUSING ORGANIZATION (AWHO),
REPRESENTED BY ITS PROJECT DIRECTOR, PRASANNA VIHAR, MARINE
DRIVE, OPP. HIGH COURT, KOCHI - (KERALA), PIN - 682031
- 13 THE PROJECT DIRECTOR, ARMY WELFARE HOUSING ORGANISATION
(AWHO), PRASANNA VIHAR, MARINE DRIVE, OPP. HIGH COURT,
KOCHI - (KERALA), PIN - 682031
- 14 MURALEEDHARAN NAIR, FORMER PROJECT DIRECTOR, ARMY WELFARE
HOUSING ORGANIZATION (AWHO), AGED 65 YEARS,
S/O P.R.MADHAVA PANICKER, RESIDING AT 34/3005, VENAD,
EDAPPALLY P.O., DEVANKULANGARA DESOM, EDAPPALLY NORTH
VILLAGE, KANAYANNUR TALUK, ERNAKULAM DISTRICT, PIN - 682024
- 15 CHANDER KUNJ ARMY TOWERS APARTMENT OWNERS ASSOCIATION
(CATAOA), (ALSO KNOWN AS RESIDENT WELFARE ASSOCIATION)
REPRESENTED BY ITS PRESIDENT, CHANDER KUNJ, SILVER SAND
ISLAND, VYTTILA P.O., ERNAKULAM DISTRICT, PIN - 682019
- 16 THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT, LOCAL SELF



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :7:

GOVERNMENT (URBAN) DEPARTMENT, ROOM NO. 201A, 2ND FLOOR,
ANNEX I, SECRETARIAT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001

- 17 THE SECRETARY TO GOVERNMENT,
LOCAL SELF GOVERNMENT (URBAN) DEPARTMENT, ROOM NO. 201A,
2ND FLOOR, ANNEX I, SECRETARIAT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 18 THE NATIONAL DISASTER MANAGEMENT AUTHORITY,
REPRESENTED BY ITS MEMBER SECRETARY, NDMA BHAWAN, A - 1,
SAFDARJUNG ENCLAVE, NEW DELHI, PIN - 110029
- 19 THE NATIONAL DISASTER RESPONSE FORCE,
REPRESENTED BY ITS DIRECTOR GENERAL, NDRF, ANTYODAYA
BHAWAN, B - 2 WING, 9TH FLOOR, CGO COMPLEX, LODHI ROAD,
NEW DELHI, PIN - 110003
- 20 KERALA STATE DISASTER MANAGEMENT AUTHORITY,
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY, REVENUE &
DISASTER MANAGEMENT STATE RELIEF COMMISSIONER & CONVENOR,
DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT, 2ND FLOOR,
REVENUE COMPLEX, PUBLIC OFFICE BUILDING, OPP. MUSEUM,
THIRUVANANTHAPURAM, KERALA, PIN - 695033
- 21 THE DISTRICT DISASTER MANAGEMENT AUTHORITY,
REPRESENTED BY ITS CHAIRMAN AND DISTRICT COLLECTOR,
ERNAKULAM, COLLECTORATE, KAKKANAD, ERNAKULAM DISTRICT,
PIN - 682030
- 22 THE DISTRICT COLLECTOR, ERNAKULAM,
COLLECTORATE, KAKKANAD, ERNAKULAM DISTRICT, PIN - 682030
- 23 THE DEPUTY COLLECTOR (DISASTER MANAGEMENT),
OFFICE OF THE DISTRICT DISASTER MANAGEMENT AUTHORITY,
ERNAKULAM, COLLECTORATE, KAKKANAD, ERNAKULAM DISTRICT,
PIN - 682030
- 24 THE TRIPUNITHURA MUNICIPALITY,
MUNICIPAL OFFICE, TRIPUNITHURA P.O., LAYAM ROAD,
TRIPUNITHURA, ERNAKULAM DISTRICT, REPRESENTED BY ITS
SECRETARY, PIN - 682301
- 25 THE SECRETARY, TRIPUNITHURA MUNICIPALITY,
MUNICIPAL OFFICE, TRIPUNITHURA P.O., LAYAM ROAD,
TRIPUNITHURA, ERNAKULAM DISTRICT, PIN - 682301
- 26 THE VIGILANCE SQUAD, REPRESENTED BY THE CHIEF TOWN PLANNER
(VIGILANCE), LOCAL SELF GOVERNMENT DEPARTMENT VIGILANCE
WING, VIGILANCE CELL, 5TH FLOOR, SWARAJ BHAVAN,



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W.P(C) No.40178/2023 & conn.cases :8:

NANTHANCODE, THIRUVANANTHAPURAM DISTRICT, PIN - 695003

- 27 THE CHIEF TOWN PLANNER,
LOCAL SELF GOVERNMENT DEPARTMENT, 5TH FLOOR, SWARAJ BHAVAN,
NANTHANCODE, THIRUVANANTHAPURAM DISTRICT, PIN - 695003
- 28 THE DISTRICT TOWN PLANNER,
OFFICE OF DISTRICT TOWN PLANNER, LSGD PLANNING,
DPC SECRETARIAT BUILDING, 4TH FLOOR, CIVIL STATION,
KAKKANAD, ERNAKULAM DISTRICT, PIN - 682030
- 29 THE KERALA COASTAL ZONE MANAGEMENT AUTHORITY (KCZMA) ,
REPRESENTED BY ITS MEMBER SECRETARY, OFFICE OF THE KERALA
COASTAL ZONE MANAGEMENT AUTHORITY, 4TH FLOOR, KSRTC BUS
TERMINAL, THAMAPNOOR P.O., THIRUVANANTHAPURAM, PIN - 695001
- 30 THE KERALA REAL ESTATE REGULATORY AUTHORITY,
REPRESENTED BY ITS SECRETARY, 6TH FLOOR, TRINITY CENTRE,
KESAVADASAPURAM, PATTOM P.O., THIRUVANANTHAPURAM,
PIN - 695004
- 31 THE KERALA STATE POLLUTION CONTROL BOARD,
REPRESENTED BY ITS CHAIRMAN, KERALA STATE POLLUTION CONTROL
BOARD OFFICE, THIRUVANANTHAPURAM, PIN - 695001
- 32 THE ENVIRONMENTAL ENGINEER,
OFFICE OF THE ENVIRONMENTAL ENGINEER, KERALA STATE
POLLUTION CONTROL BOARD, GANDHI NAGAR, ERNAKULAM DISTRICT,
PIN - 682020
- 33 THE DISTRICT FIRE OFFICER,
DISTRICT FIRE OFFICE, FIRE AND RESCUE SERVICES,
KADAVANTHARA P.O., KOCHI, ERNAKULAM DISTRICT, PIN - 682020
- 34 THE DIRECTOR GENERAL OF CIVIL AVIATION,
OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION, TECHNICAL
CENTRE, OPP SAFDARJANG AIRPORT, NEW DELHI, PIN - 110003
- 35 M/S SHILPA PROJECTS AND INFRASTRUCTURE INDIA PRIVATE
LIMITED, REPRESENTED BY ITS MANAGING DIRECTOR, 65/847-848,
3RD FLOOR, NORTH AVENUE, PARAMARA ROAD, KOCHI, ERNAKULAM
DISTRICT, PIN - 682018
- 36 B.R. AJITH, ARCHITECT, AJIT ASSOCIATES ARCHITECTURAL
CONSULTANTS PVT. LTD, SILVER SAND ISLAND, VYTTILA P.O.,
KOCHI - 682019, AND ALSO HAVING ADDRESS AT 3RD FLOOR,
PUTHURAN PLAZA, KPCC JUNCTION, M.G.ROAD, KOCHI,
ERNAKULAM DISTRICT, PIN - 682011



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W.P(C) No.40178/2023 & conn.cases :9:

- 37 AJIT ASSOCIATES ARCHITECTURAL CONSULTANTS PVT. LTD.,
REPRESENTED BY B.R.AJITH,, ARCHITECT AND MANAGING DIRECTOR,
SILVER SAND ISLAND, VYTTILLA P.O., KOCHI - 682019 AND ALSO
HAVING ADDRESS AT 3RD FLOOR, PUTHURAN PLAZA, KPCC JUNCTION,
M.G.ROAD, KOCHI, ERNAKULAM DISTRICT, PIN - 682011
- 38 BUREAU VERITAS INDIA PVT. LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR, HEAD OFFICE AT 72
BUSINESS PARK, 9TH FLOOR, OPPOSITE SEEPZ GATE NO.2, MIDC
CROSS ROAD 'C', ANDHERI EAST, MUMBAI - 400093 AND HAVING
REGIONAL OFFICE AT # 1030, 13TH CROSS, BANASHANKARI, 2ND
STAGE, ATTHIMABBE ROAD, BANGALORE, PIN - 560070

BY ADV. KRISHNA T C, DSGI
SRI.PRAKASH M.P., SC, KCZMA
RANJITH VARGHESE
THOMAS P.KURUVILLA
RAHUL VARGHESE(K/000851/2010)
SANTHA VARGHESE(K/000450/1976)
GEO KENNEDY K.(K/003663/2022)
RANJAN BABU JOSEPH(K/003379/2023)
K.L.VARGHESE (SR.) (K/000208/1974)
SHRI.K.S.ARUN KUMAR, SC, TRIPUNITHURA MUNICIPALITY
SRI. T.NAVEEN SC, KERALA STATE POLLUTION CONTROL BOARD
BY GOVERNMENT PLEADER SRI. SREEJITH V.S

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10.01.2025, ALONG WITH WP(C).40178/2023 AND CONNECTED CASES, THE COURT
ON 03.02.2025 DELIVERED THE FOLLOWING:



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :10:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

MONDAY, THE 3rd DAY OF FEBRUARY 2025 / 14TH MAGHA, 1946

WP(C) NO. 21253 OF 2024

PETITIONER/S:

LT. COL JOHNSON CHACKO VERGHESE (RETD.) ,
AGED 47 YEARS,S/O.LATE MR. K.C. VERGHESE, FLAT NO. C104,
CHANDERKUNJ, AWHO APARTMENTS, SILVER SAND ISLAND, VYTTLA ,
KOCHI, PIN - 682019

BY ADVS.
P.HARIDAS
BIJU HARIHARAN
SHIJIMOL M.MATHEW
P.C.SHIJIN
RISHIKESH HARIDAS

RESPONDENT/S:

- 1 UNION OF INDIA,REPRESENTED BY SECRETARY,MINISTRY OF
DEFENSE, 101-A, SOUTH BLOCK, NEW DELHI, PIN - 110001
- 2 CHIEF OF ARMY STAFF,
SOUTH BLOCK, CENTRAL SECRETARIAT, NEW DELHI, PIN - 110001
- 3 ARMY WELFARE HOUSING ORGANIZATION,
REPRESENTED BY THE MANAGING DIRECTOR, SOUTH HUTMENTS,
KASHMIR HOUSE, RAJAJI MARG., NEW DELHI, PIN - 110001
- 4 RESIDENT WELFARE ASSOCIATION,
CHANDERKUNJ, AWHO APARTMENTS, SILVER SAND ISLAND, VYTTLA ,
KOCHI REPRESENTED BY ITS SECRETARY, PIN - 682019
- 5 DISTRICT COLLECTOR,
COLLECTORATE, KAKKANAD, ERNAKULAM, PIN - 682030
- 6 SECRETARY, TRIPUNITHURA MUNICIPALITY,
TRIPUNITHURA, ERNAKULAM, PIN - 682301



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :11:

- 7 EXECUTIVE ENGINEER,
PWD BUILDING DIVISION, EDAPPALLY JUNCTION, EDAPPALLY,
KOCHI, PIN - 682024
- 8 MANAGER,
GREATER COCHIN DEVELOPMENT AUTHORITY (GCDA), P.B. NO.2012,
KOCHI, PIN - 682020

BY ADVS.
KRISHNA T C, DSGI
ANCHALA C
VIPIN P. VARGHESE, SC, GCDA
BY GOVT. PLEADER SREEJITH V.S.
K.S.ARUN KUMAR, SC, TRIPUNITHURA MUNICIPALITY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10.01.2025, ALONG WITH WP(C).40178/2023 AND CONNECTED CASES, THE COURT
ON 03.02.2025 DELIVERED THE FOLLOWING:



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :12:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

MONDAY, THE 3rd DAY OF FEBRUARY 2025 / 14TH MAGHA, 1946

WP(C) NO. 22536 OF 2024

PETITIONER/S:

CHANDRAMOHANAN UNNITHAN
AGED 72 YEARS, S/O R.R UNNITHAN B 0703, CHANDERKUNJ, SILVER
SAND ISLAND, VYTTILA P.O., ERNAKULAM DISTRICT- (COLONEL
(RETIRED), INDIAN ARMY)., PIN - 682019

BY ADVS.
K.SASIKUMAR
S.ARAVIND
P.S.RAGHUKUMAR
SURESH BABU C.S.
ANITHA CHANDRAN

RESPONDENT/S:

- 1 UNION OF INDIA
REPRESENTED BY THE DEFENCE SECRETARY TO THE GOVERNMENT,
MINISTRY OF DEFENCE, GOVERNMENT OF INDIA, NEW DELHI, PIN -
110011
- 2 ARMY WELFARE HOUSING ORGANISATION (AWHO)
REPRESENTED BY ITS MANAGING DIRECTOR (MD), ROOM NO-25 SH,
KASHMIR HOUSE, SOUTH HUTMENTS, RAJAJI MARGH, NEW DELHI, PIN
- 110011
- 3 PROJECT DIRECTOR, ARMY WELFARE HOUSING ORGANISATION (AWHO)
C/O. PRASANNA VIHAR, MARINE DRIVE, OPPOSITE HIGH COURT,
KOCHI, PIN - 682031
- 4 DIRECTOR (CONTRACTS)
ARMY WELFARE HOUSING ORGANISATION (AWHO), ROOM NO-25 SH,
KASHMIR HOUSE, SOUTH HUTMENTS, RAJAJI MARGH, NEW DELHI, PIN
- 110011
- 5 PRESIDENT, BOARD OF GOVERNORS (BOG), AWHO REPRESENTED BY
CHIEF OF ARMY STAFF, INDIAN ARMY, INTEGRATED HEADQUARTERS,
MINISTRY OF DEFENCE (MOD), SOUTH BLOCK NEW DELHI, PIN -
110011



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :13:

- 6 CHAIRMAN, BOARD OF MANAGEMENT (BOM), AWHO
REPRESENTED BY ADJUTANT GENERAL, INTEGRATED HEADQUARTERS,
MINISTRY OF DEFENCE (MOD) SOUTH BLOCK, NEW DELHI, PIN -
110011
- 7 DIRECTOR GENERAL, DISCIPLINE, CEREMONIAL AND WELFARE
(DGDC&W), DEPUTY CHAIRMAN, AWHO INTEGRATED HEADQUARTERS,
MINISTRY OF DEFENCE (MOD) SOUTH BLOCK, NEW DELHI, PIN -
110011
- 8 ENGINEER- IN-CHIEF
MEMBER BOARD OF MANAGEMENT, AWHO INTEGRATED HEADQUARTERS,
MINISTRY OF DEFENCE (MOD) NEW DELHI, PIN - 110011
- 9 PRESIDENT, RESIDENTS WELFARE ASSOCIATION (RWA),
CHANDERKUNJ APARTMENTS, SILVER SAND ISLAND, VYTILA P.O.,
PIN - 682019
- 10 MANAGING DIRECTOR
SILPA PROJECTS AND INFRASTRUCTURE PRIVATE LIMITED, 3RD
FLOOR, NORTH AVENUE BUILDING, PARAMARA ROAD, KOCHI, PIN -
682018
- 11 MANAGING DIRECTOR
AJIT ASSOCIATES, SILVER SAND ISLAND, VYTILA P.O., KOCHI,
PIN - 682019
- 12 MANAGING DIRECTOR, BUREAU VERITAS (INDIA) PRIVATE LIMITED,
NO. 33/1178 F1, CHALIKKAVATTOM, KUMBALAPPALLY ROAD, VYTILA
P.O., KOCHI -, PIN - 682028
- 13 HEAD OF THE DEPARTMENT OF CIVIL ENGINEERING
INDIAN INSTITUTE OF TECHNOLOGY, MADRAS (IITM), CHENNAI,
TAMIL NADU, PIN - 600036
- 14 HEAD OF THE DEPARTMENT OF CIVIL ENGINEERING
MAR ATHANASIUS COLLEGE OF ENGINEERING (MACE),
KOTHAMANGALAM, ERNAKULAM, PIN - 686691
- 15 ASSISTANT EXECUTIVE ENGINEER (CIVIL)
GREATER COCHIN DEVELOPMENT AUTHORITY (GCDA), SAHODARAN
AYYAPPAN RD, KADAVANTHRA P.O, ERNAKULAM-, PIN - 682020
- 16 ASSISTANT EXECUTIVE ENGINEER (LSGD), TRIPUNITHURA
MUNICIPALITY, TRIPUNITHURA P.O, ERNAKULAM, PIN - 682301
- 17 TRIPUNITHURA MUNICIPALITY
REPRESENTED BY ITS SECRETARY, TRIPUNITHURA, P.O. ERNAKULAM,
PIN - 682301



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :14:

- 18 JOINT DIRECTOR (EXECUTIVE ENGINEER)
PWD REGIONAL DESIGN OFFICE, BUILDINGS DIVISION,
ERNAKULAM-. , PIN - 682033
- 19 DISTRICT COLLECTOR
DISTRICT COLLECTORATE, FIRST FLOOR, CIVIL STATION, KAKKANAD
P.O, ERNAKULAM -, PIN - 682030
- 20 COMMISSIONER OF POLICE,
ERNAKULAM CITY, ERNAKULAM, PIN - 682011
- 21 STATION HOUSE OFFICER
MARADU POLICE STATION, ERNAKULAM CITY, MARADU P.O.- 682304
- 22 THE DIRECTOR, CENTRAL BUREAU OF INVESTIGATION
GOVERNMENT OF INDIA, PLOT NO. 5-B, 6TH FLOOR, CGO COMPLEX,
LODHI ROAD, NEW DELHI - . , PIN - 110003
- 23 DIRECTOR, ENFORCEMENT DEPARTMENT,
GOVERNMENT OF INDIA, DIRECTORATE OF ENFORCEMENT, PRAVARTAN
BHAWAN, DR. APJ ABDUL KALAM ROAD, NEW DELHI-, PIN - 110011
- 24 COLONEL MURALEEDHARAN NAIR (RETIRED) ,EX-PROJECT DIRECTOR,
ARMY WELFARE HOUSING ORGANSIATION (AWHO) 34/3005, VENAD,
EDAPPALLY P.O, ERNAKULAM-, PIN - 682024

BY ADVS.

KRISHNA T C, DSGI

Ranjith Varghese

G.HARIKUMAR (GOPINATHAN NAIR)

THOMAS P.KURUVILLA

SATHEESH N

Anchala C

K.S.ARUN KUMAR, SC, MUNICIPALITY

Sreelal N.Warriar, SPL PP FOR CBI

PRIYA CAROL(K/000112/2019)

RAHUL VARGHESE(K/000851/2010)

SANTHA VARGHESE(K/000450/1976)

GEO KENNEDY K. (K/003663/2022)

RANJAN BABU JOSEPH(K/003379/2023)

K.L.VARGHESE (SR.) (K/000208/1974)

SREEJITH V.S., GOVT. PLEADER

VIPIN P. VARGHESE, SC, GCDA

JAISHANKAR V. NAIR, SC, ED

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10.01.2025, ALONG WITH WP(C).40178/2023 AND CONNECTED CASES, THE COURT
ON 03.02.2025 DELIVERED THE FOLLOWING:



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :15:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

MONDAY, THE 3rd DAY OF FEBRUARY 2025 / 14TH MAGHA, 1946

WP(C) NO. 24221 OF 2024

PETITIONERS:

- 1 THE PRESIDENT,
AGED 62 YEARS, CHANDERKUNJ ARMY TOWERS APARTMENT OWNERS
ASSOCIATION REGD NO.EKM/TC/116/2019 AWHO, SILVER SAND
ISLAND, THYKODAM, VYTTILA.P.O., COCHIN, PIN - 682019
- 2 CHANDERKUNJ ARMY TOWERS APARTMENT OWNERS ASSOCIATION
AGED 62 YEARS,REGD NO.EKM/TC/116/2019 AWHO APARTMENT
COMPLEX, SILVER SAND, VYTTILA.P.O, COCHIN REPRESENTED BY
ITS PRESIDENT, PIN - 682019

BY ADVS. LAKSHMI RAMADAS
P.RAVINDRAN (SR.)
M.R.SABU
APARNA RAJAN
SREEDHAR RAVINDRAN

RESPONDENTS:

- 1 ARMY WELFARE HOUSING ORGANISATION,
REPRESENTED BY ITS MANAGING DIRECTOR, SOUTH HUTMENTS,
KASHMIR HOUSE, RAJAJI MARG, NEW DELHI, PIN - 110011
- 2 THE MANAGING DIRECTOR,
ARMY WELFARE HOUSING ORGANISATION SOUTH HUTMENTS,
KASHMIR HOUSE, RAJAJI MARG, NEW DELHI, PIN - 110011
- 3 BOARD OF GOVERNORS, REPRESENTED BY THE CHIEF OF THE ARMY
STAFF AND PRESIDENT, IHQ OF MOD (ARMY) SENA BHAVAN,
NEW DELHI, PIN - 110001
- 4 THE DISTRICT COLLECTOR
COLLECTORATE, KAKKANAD,ERNAKULAM-, PIN - 682030

BY ADVS. ABI BENNY AREECKAL
BEA MARY BENNY(K/000129/2021)



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :16:

BENNY GERVACIS (SR.) (K/524/1989)
BY SRI. T.C.KRISHNA, DSGI
BY GOVERNMENT PLEADER SRI. SREEJITH V.S

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10.01.2025, ALONG WITH WP(C).40178/2023 AND CONNECTED CASES, THE COURT
ON 03.02.2025 DELIVERED THE FOLLOWING:



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :17:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

MONDAY, THE 3rd DAY OF FEBRUARY 2025 / 14TH MAGHA, 1946

WP(C) NO. 28289 OF 2024

PETITIONER:

COLONEL ANIL RAJ T.A, AGED 51 YEARS,
S/o APPUKUTTAN T.M. B 0803, CHANDER KUNJ, SILVER SAND
ISLAND, VYTTILA P.O., ERNAKULAM DISTRICT, PIN - 682019

BY ADVS. K.SASIKUMAR
S.ARAVIND
P.S.RAGHUKUMAR
ANITHA CHANDRAN
SURESH BABU C.S.

RESPONDENTS:

- 1 ARMY WELFARE HOUSING ORGANISATION (AWHO)
REPRESENTED BY ITS MANAGING DIRECTOR (MD), ROOM NO-25 SH,
KASHMIR HOUSE, SOUTH HUTMENTS, RAJAJI MARGH,
NEW DELHI, PIN - 110011
- 2 PROJECT DIRECTOR,
ARMY WELFARE HOUSING ORGANISATION (AWHO),
C/O. PRASANNA VIHAR, MARINE DRIVE, OPPOSITE HIGH COURT,
KOCHI, PIN - 682031
- 3 DIRECTOR(CONTRACTS), ARMY WELFARE HOUSING ORGANISATION
(AWHO), ROOM NO-25 SH, KASHMIR HOUSE, SOUTH HUTMENTS,
RAJAJI MARGH, NEW DELHI, PIN - 110011
- 4 CHAIRMAN, BOARD OF MANAGEMENT(BOM), AWHO REPRESENTED BY
ADJUTANT GENERAL, INTEGRATED HEADQUARTERS, MINISTRY OF
DEFENCE(MOD) SOUTH BLOCK, NEW DELHI, PIN - 110011
- 5 MANAGING DIRECTOR, SILPA PROJECTS AND INFRASTRUCTURE
PRIVATE LIMITED, 3RD FLOOR, NORTH AVENUE BUILDING, PARAMARA
ROAD, KOCHI, PIN - 682018
- 6 MANAGING DIRECTOR, AJIT ASSOCIATES, SILVER SAND ISLAND,
VYTILLA P.O, KOCHI, PIN - 682019



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :18:

- 7 MANAGING DIRECTOR, BUREAU VERITAS (INDIA) PRIVATE LIMITED,
NO. 33/1178F1, CHALIKKAVATTOM, KUMBALAPPALLY ROAD,
VYTILLA P.O., KOCHI, PIN - 682028
- 8 HEAD OF THE DEPARTMENT OF CIVIL ENGINEERING,
INDIAN INSTITUTE OF TECHNOLOGY, MADRAS (IITM),
CHENNAI, TAMIL NADU, PIN - 600036
- 9 HEAD OF THE DEPARTMENT OF CIVIL ENGINEERING,
MAR ATHANASIOUS COLLEGE OF ENGINEERING (MACE),
KOTHAMANGALAM, ERNAKULAM, PIN - 686691
- 10 ASSISTANT EXECUTIVE ENGINEERV(CIVIL),
GREATER COCHIN DEVELOPMENT AUTHORITY (GCDA),
SAHODARAN AYYAPPAN RD, KADAVANTHRA P.O,
ERNAKULAM-, PIN - 682020
- 11 ASSISTANT EXECUTIVE ENGINEER (LSGD),
TRIPUNITHURA MUNICIPALITY, TRIPUNITHURA P.O,
ERNAKUALM-, PIN - 682301
- 12 TRIPUNITHURA MUNICIPALITY, REPRESENTED BY ITS SECRETARY,
TRIPUNITHURA, P.O. ERNAKUALM-, PIN - 682301
- 13 JOINT DIRECTOR (EXECUTIVE ENGINEER),
PWD REGIONAL DESIGN OFFICE, BUILDINGS DIVISION,
ERNAKULAM, PIN - 682033
- 14 DISTRICT COLLECTOR, DISTRICT COLLECTORATE, FIRST FLOOR,
CIVIL STATION, KAKKANAD P.O, ERNAKULAM, PIN - 682030
- 15 THE DIRECTOR, CENTRAL BUREAU OF INVESTIGATION,
GOVERNMENT OF INDIA, PLOT NO.5-B, 6THFLOOR, CGO COMPLEX,
LODHI ROAD, NEW DELHI, PIN - 110003
- 16 DIRECTOR, ENFORCEMENT DEPARTMENT, GOVERNMENT OF INDIA,
DIRECTORATE OF ENFORCEMENT, PRAVARTAN BHAWAN,
DR. APJ ABDUL KALAM ROAD, NEW DELHI-, PIN - 110011
- 17 COLONEL MURALEEDHARAN NAIR(RETIRE),
EX-PROJECT DIRECTOR, ARMY WELFARE HOUSING ORGANSIATION
(AWHO) 34/3005, VENAD, EDAPPALLY P.O, ERNAKULAM,
PIN - 682024

BY ADVS. KRISHNA T C, DSGI
RANJITH VARGHESE
ANCHALA C
GOVIND PADMANAABHAN



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :19:

ABI BENNY AREECKAL
BEA MARY BENNY(K/000129/2021)
BENNY GERVACIS (SR.) (K/524/1989)
RAHUL VARGHESE(K/000851/2010)
SANTHA VARGHESE(K/000450/1976)
GEO KENNEDY K.(K/003663/2022)
RANJAN BABU JOSEPH(K/003379/2023)
K.L.VARGHESE (SR.) (K/000208/1974)
G.P.SHINOD(K/000626/1995)
AJIT G ANJARLEKAR(K/000083/2014)
GAYATHRI S.B.(K/2005/2020)
ATUL MATHEWS(K/1675/2018)
ADV. SREELAL N.WARRIER, SPL.PUBLIC PROSECUTOR, CENTRAL
BUREAU OF INVESTIGATION
SHRI.JAISHANKAR V.NAIR, SC, ENFORCEMENT DIRECTORATE
SRI.VIPIN P.VARGHESE, SC, GCDA
SHRI.K.S.ARUN KUMAR, SC, TRIPUNITHURA MUNICIPALITY
BY GOVERNMENT PLEADER SRI. SREEJITH V.S

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10.01.2025, ALONG WITH WP(C).40178/2023 AND CONNECTED CASES, THE COURT
ON 03.02.2025 DELIVERED THE FOLLOWING:



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :20:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

MONDAY, THE 3rd DAY OF FEBRUARY 2025 / 14TH MAGHA, 1946

WP(C) NO. 29703 OF 2024

PETITIONER:

MATHEW CHERIAN, AGED 42 YEARS, S/O P.P. CHERIAN, B. 1504, CHANDERKUNJ, SILVER SAND ISLAND, VYTILA P.O., ERNAKULAM DISTRICT-682019 (LT.COLONEL (RETIRED), INDIAN ARMY), REPRESENTED BY FATHER AND POWER OF ATTORNEY HOLDER P.P.CHERIAN, AGED 74 YEARS, S/O.CHERIA POULOSE, PULLAMKOTTU HOUSE, EZHAKKARANADU NORTH, MANEED VILLAGE, MUVATTUPUZHA, ERNAKULAM DISTRICT, PIN - 686664

BY ADVS. K.SASIKUMAR
S.ARAVIND
P.S.RAGHUKUMAR
ANITHA CHANDRAN
SURESH BABU C.S.

RESPONDENTS:

- 1 UNION OF INDIA, REPRESENTED BY THE DEFENCE SECRETARY TO THE GOVERNMENT, MINISTRY OF DEFENCE, GOVERNMENT OF INDIA, NEW DELHI, PIN - 110011
- 2 ARMY WELFARE HOUSING ORGANISATION (AWHO), REPRESENTED BY ITS MANAGING DIRECTOR (MD), ROOM NO-25 SH, KASHMIR HOUSE, SOUTH HUTMENTS, RAJAJI MARGH, NEW DELHI, PIN - 110011
- 3 PROJECT DIRECTOR, ARMY WELFARE HOUSING ORGANISATION (AWHO), C/O.PRASANNA VIHAR, MARINE DRIVE, OPPOSITE HIGH COURT, KOCHI, PIN - 682031
- 4 DIRECTOR (CONTRACTS), ARMY WELFARE HOUSING ORGANISATION (AWHO), ROOM NO-25 SH, KASHMIR HOUSE, SOUTH HUTMENTS, RAJAJI MARGH, NEW DELHI, PIN - 110011
- 5 PRESIDENT, BOARD OF GOVERNORS (BOG), AWHO REPRESENTED BY CHIEF OF ARMY STAFF, INDIAN ARMY, INTEGRATED HEADQUARTERS, MINISTRY OF DEFENCE (MOD), SOUTH BLOCK NEW DELHI, PIN - 110011



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :21:

- 6 CHAIRMAN, BOARD OF MANAGEMENT (BOM), AWHO REPRESENTED BY
ADJUTANT GENERAL, INTEGRATED HEADQUARTERS, MINISTRY OF
DEFENCE (MOD) SOUTH BLOCK, NEW DELHI, PIN - 110011
- 7 DIRECTOR GENERAL, DISCIPLINE, CEREMONIAL AND WELFARE
(DGDC&W), DEPUTY CHAIRMAN, AWHO INTEGRATED HEADQUARTERS,
MINISTRY OF DEFENCE (MOD) SOUTH BLOCK, NEW DELHI, PIN -
110011
- 8 ENGINEER, IN-CHIEF, MEMBER BOARD OF MANAGEMENT, AWHO
INTEGRATED HEADQUARTERS, MINISTRY OF DEFENCE (MOD) NEW
DELHI, PIN - 110011
- 9 PRESIDENT, RESIDENTS WELFARE ASSOCIATION (RWA), CHANDERKUNJ
APARTMENTS, SILVER SAND ISLAND, VYTILLA P.O., PIN - 682019
- 10 MANAGING DIRECTOR, SILPA PROJECTS AND INFRASTRUCTURE
PRIVATE LIMITED, 3RD FLOOR, NORTH AVENUE BUILDING, PARAMARA
ROAD, KOCHI, PIN - 682018
- 11 MANAGING DIRECTOR, AJIT ASSOCIATES, SILVER SAND ISLAND,
VYTILLA P.O., KOCHI, PIN - 682019
- 12 MANAGING DIRECTOR, BUREAU VERITAS (INDIA) PRIVATE
LIMITED, NO. 33/1178 F1, CHALIKKAVATTOM, KUMBALAPPALLY ROAD,
VYTILLA P.O., KOCHI, PIN - 682028
- 13 HEAD OF THE DEPARTMENT OF CIVIL ENGINEERING,
INDIAN INSTITUTE OF TECHNOLOGY, MADRAS (IITM), CHENNAI,
TAMIL NADU, PIN - 600036
- 14 HEAD OF THE DEPARTMENT OF CIVIL ENGINEERING,
MAR ATHANASIOUS COLLEGE OF ENGINEERING (MACE),
KOTHAMANGALAM, ERNAKULAM, PIN - 686691
- 15 ASSISTANT EXECUTIVE ENGINEER (CIVIL),
GREATER COCHIN DEVELOPMENT AUTHORITY (GCDA), SAHODARAN
AYYAPPAN RD, KADAVANTHRA P.O, ERNAKULAM, PIN - 682020
- 16 ASSISTANT EXECUTIVE ENGINEER (LSGD),
TRIPUNITHURA MUNICIPALITY, TRIPUNITHURA P.O,
ERNAKULAM, PIN - 682301
- 17 TRIPUNITHURA MUNICIPALITY,
REPRESENTED BY ITS SECRETARY, TRIPUNITHURA,
P.O. ERNAKULAM, PIN - 682301
- 18 JOINT DIRECTOR (EXECUTIVE ENGINEER),
PWD REGIONAL DESIGN OFFICE, BUILDINGS DIVISION,
ERNAKULAM, PIN - 682033



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :22:

- 19 DISTRICT COLLECTOR,
DISTRICT COLLECTORATE, FIRST FLOOR, CIVIL STATION,
KAKKANAD P.O, ERNAKULAM, PIN - 682030
- 20 COMMISSIONER OF POLICE , ERNAKULAM CITY,
ERNAKULAM, PIN - 682011
- 21 STATION HOUSE OFFICER, MARADU POLICE STATION,
ERNAKULAM CITY, MARADU P.O., PIN - 682304
- 22 THE DIRECTOR, CENTRAL BUREAU OF INVESTIGATION,
GOVERNMENT OF INDIA, PLOT NO. 5-B, 6TH FLOOR, CGO COMPLEX,
LODHI ROAD, NEW DELHI, PIN - 110003
- 23 DIRECTOR, ENFORCEMENT DEPARTMENT, GOVERNMENT OF INDIA,
DIRECTORATE OF ENFORCEMENT, PRAVARTAN BHAWAN,
DR. APJ ABDUL KALAM ROAD, NEW DELHI, PIN - 110011
- 24 COLONEL MURALEEDHARAN NAIR (RETIRED) ,
EX-PROJECT DIRECTOR, ARMY WELFARE HOUSING ORGANSIATION
(AWHO) 34/3005, VENAD, EDAPPALLY P.O, ERNAKULAM,
PIN - 682024

BY ADVS. ABI BENNY AREECKAL
RANJITH VARGHESE
BEA MARY BENNY
BENNY GERVACIS (SR.)
RAHUL VARGHESE
SANTHA VARGHESE
GEO KENNEDY K.
RANJAN BABU JOSEPH
K.L.VARGHESE (SR.)

SRI. T.C.KRISHNA, DSGI
SRI.VIPIN P.VARGHESE, SC, GCDA
SHRI.K.S.ARUN KUMAR, SC, TRIPUNITHURA MUNICIPALITY
SHRI.SREELAL N.WARRIER, SPL.PUBLIC PROSECUTOR, CENTRAL
BUREAU OF INVESTIGATION (CBI)
SHRI.JAISHANKAR V.NAIR, SC, ENFORCEMENT DIRECTORATE
BY GOVERNMENT PLEADER SRI. SREEJITH V.S.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10.01.2025, ALONG WITH WP(C).40178/2023 AND CONNECTED CASES, THE COURT
ON 03.02.2025 DELIVERED THE FOLLOWING:



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :23:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

MONDAY, THE 3rd DAY OF FEBRUARY 2025 / 14TH MAGHA, 1946

WP(C) NO. 35585 OF 2024

PETITIONERS:

- 1 RADHAKRISHNAN NAIR M.R, AGED 57 YEARS, S/O. RAGHAVAN NAIR,
B. 1303,CHANDERKUNJ,SILVER SAND ISLAND, VYTTILA P.O.,
ERNAKULAM DISTRICT(COLONEL (RETIRED), INDIAN ARMY),
PIN - 682019
- 2 SREELEKHA NAIR, AGED 52 YEARS, W/O. RADHAKRISHNAN NAIR
M.R., B. 1303,CHANDERKUNJ, SILVER SAND ISLAND, VYTTILA
P.O., ERNAKULAM DISTRICT, PIN - 682019

BY ADVS.K.SASIKUMAR
S.ARAVIND
P.S.RAGHUKUMAR

RESPONDENTS:

- 1 UNION OF INDIA, REPRESENTED BY THE DEFENCE SECRETARY TO THE
GOVERNMENT, MINISTRY OF DEFENCE, GOVERNMENT OF INDIA,
NEW DELHI, PIN - 110011
- 2 ARMY WELFARE HOUSING ORGANISATION (AWHO),
REPRESENTED BY ITS MANAGING DIRECTOR (MD),ROOM NO-25 SH,
KASHMIR HOUSE,SOUTH HUTMENTS,RAJAJI MARGH,NEW DELHI,
PIN - 110011
- 3 PROJECT DIRECTOR, ARMY WELFARE HOUSING ORGANISATION (AWHO),
C/O. PRASANNA VIHAR, MARINE DRIVE, OPPOSITE HIGH COURT,
KOCHI, PIN - 682031
- 4 DIRECTOR (CONTRACTS), ARMY WELFARE HOUSING ORGANISATION
(AWHO),ROOM NO-25 SH, KASHMIR HOUSE, SOUTH HUTMENTS,
RAJAJI MARGH, NEW DELHI, PIN - 110011
- 5 ENGINEER- IN-CHIEF, MEMBER BOARD OF MANAGEMENT,AWHO
INTEGRATED HEADQUARTERS, MINISTRY OF DEFENCE (MOD)
NEW DELHI, PIN - 110011
- 6 PRESIDENT, RESIDENTS WELFARE ASSOCIATION (RWA),CHANDERKUNJ



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :24:

APARTMENTS,SILVER SAND ISLAND,VYTTILA P.O, PIN - 682019

- 7 ASSISTANT EXECUTIVE ENGINEER (CIVIL) ,
GREATER COCHIN DEVELOPMENT AUTHORITY (GCDA) ,SAHODARAN
AYYAPPAN RD, KADAVANTHRA P.O, ERNAKULAM, PIN - 682020
- 8 ASSISTANT EXECUTIVE ENGINEER (LSGD) ,
TRIPUNITHURA MUNICIPALITY, TRIPUNITHURA P.O, ERNAKULAM,
PIN - 682301
- 9 TRIPUNITHURA MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,TRIPUNITHURA, P.O.,
ERNAKULAM, PIN - 682301
- 0 JOINT DIRECTOR (EXECUTIVE ENGINEER) ,
PWD REGIONAL DESIGN OFFICE,BUILDINGS DIVISION,
ERNAKULAM, PIN - 682033
- 11 DISTRICT COLLECTOR, DISTRICT COLLECTORATE, FIRST FLOOR,
CIVIL STATION, KAKKANAD P.O, ERNAKULAM, PIN - 682030

BY ADV. ANCHALA C
SRI. K.S.ARUN KUMAR, SC, TRIPUNITHURA MUNICIPALITY
SRI.VIPIN P.VARGHESE, SC, GCDA
SRI.T.C.KRISHNA, DSGI
BY GOVERNMENT PLEADER SRI. SREEJITH V.S.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10.01.2025, ALONG WITH WP(C).40178/2023 AND CONNECTED CASES, THE COURT
ON 03.02.2025 DELIVERED THE FOLLOWING:



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :25:

MOHAMMED NIAS C.P.,J.

.....

**W.P(C) Nos.40178 of 2023 & 10400,
20298, 21253, 22536, 24221, 28289,
29703 and 35585 of 2024**

.....

Dated this the 3rd day of February, 2025

JUDGMENT

The writ petitions are filed by the owners and the association of the owners of the apartments, situated at Silver Sand Island, Vyttila in Kochi, against the Army Welfare Housing Organisation (AWHO) and others. AWHO, a society registered on March 20th, 1978, under the Societies Registration Act, 1860, aims to provide quality and affordable housing to Armed Forces personnel (serving and retired), war widows, and family members of martyrs. Its operations are controlled and monitored by defence personnel on posting or deputation, with expenses managed through administrative charges contributed by members. The Board of Governors includes senior Army Officers such as the Chief of Army Staff, Vice Chief of Army Staff, and Army Commanders as Ex-officio Chairman. The Managing Director is supported by a team of specialists like planners, architects, engineers, surveyors, and project managers.

2. In 2013, AWHO, after purchasing the above said land in Silver Sand Island, Vyttila, Cochin started construction of dwelling units for defence personnel and their children. Accordingly, the said land was registered in the name of AWHO,



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :26:

and revenue records were duly mutated in the name of AWHO.

3. An advertisement for allotment of dwelling units to be developed at the proposed site was issued on 28.02.2011 following which several applications were received. An extent of 172.435 ares of property on Silver Sand Island was purchased and the project was initially notified as 42 duplex dwelling units. The Silver Sand Island (SSI), Kochi project of the AWHO (also known as Chander Kunj Army Towers) consists of three Towers (Tower A of 14 stories and Towers B & C of a total of 26 stories each with stilt and basement), consisting of a total of 264 Dwelling Units (DUs) with other essential services (Club House, Swimming Pool, Sewage Treatment Plant etc). The project has been constructed on 172.435 Ares of land (4.28 acres). The project was commenced in April 2013 and was completed in July 2018. The majority of the Dwelling Units were handed over to the allottees (hereinafter referred to as the 'owners') by the end of 2018.

4. Ajit Associates was appointed as consultant architect on 25.02.2010. The fee was fixed at Rs.3,12,39,685.00/-. The design and plan were vetted by IISc, Bengaluru, in March and May 2011. The application for a building permit was made on 06.08.2010, and it was granted by Tripunithura Municipality on 19.10.2011.

5. M/s Silpa Projects and Infrastructure (I) Pvt. Ltd. was appointed as Contractor on 12.03.2013 with a fee fixed at Rs.1,24,95,87,935.90/-.

6. The project commenced on 3rd April, 2013. The architect issued a completion certificate on 10.05.2017. The completion plan was given on 25.03.2017. The Occupancy Certificate was issued on 21.02.2018. Apartments were handed over to



W.P(C) No.40178/2023 & conn.cases :27:

allottees from 05.03.2018 onwards, and the Residents Welfare Association was formed in February 2019.

7. The documents and exhibits referred to in this judgment are as marked in W.P(C) No.40178/2023.

8. In November 2019, some of the residents raised concerns regarding seepage and water leakage, in some areas of the buildings of Towers B and C of the residential complex. The first repair work took place in 2019 which was carried out by M/s FOSROC India. Thereafter, further concerns regarding structural stability were raised by the allottees and the RWA appointed a Rectification Board, to study the issues being faced by the residents of the said residential complex and prepare a report thereof for rectification of the same. Not long after occupying the premises, the allottees raised concerns about the construction which led to various experts/bodies conducting inspections and preparing reports:

- (a) A sub-committee comprising expert civil engineer officers from the Corps of Engineers appointed by the Residents Welfare Association carried out an inspection and submitted a report on 24.08.2020.
- (b) Mar Athanasius College of Engineering, Kothamangalam Report dated 15.09.2020. (Exhibit P2)
- (c) M/s Bureau Veritas India Pvt. Ltd. carried out an Inspection from 21st to 27th October 2020, and the report was submitted on 03.12.2020 (Exhibit R5 (a)).
- (d) Review of the report of BVIL by Professors from IIT, Madras and Mar Athanasius College of Engineering-14.12.2020. (Exhibit P3).



W.P(C) No.40178/2023 & conn.cases :28:

(e) Further inspection and investigative study by BVIL-2nd to 6th March, 2021 and 7th to 12th April, 2021. Final Report submitted on 15.05.2021. (Exhibit R5(b)).

(f) Government Engineering College, Barton Hill, Thiruvananthapuram submitted a structural assessment report on 31. 03.2022 (Exhibit P4).

(g) Professor from Mar Athanasius College of Engineering, Kothamangalam-Visual Inspection of Towers-Report dated 03.09.2022.

(h) BVIL conducted another physical inspection and submitted the report on 21.10.2022 and suggested, in detail, the measures that are to be adopted for rectification of the issues and strengthening the structure of the buildings of the residential complex. Corrosion rebars and expected extended service life of structure with the strengthening of distressed members are furnished. However, these functional-related distress features call for appropriate treatment to avoid further deterioration and to improve the durability and longevity of the structure.

9. IIT Madras submitted the report on 05.11.2023 (Exhibit P14). It carried out the study in September-October 2023 and submitted the report after comprehensively reviewing the earlier studies of IITM and the other agencies. The reports directed immediate evacuation of all the residents from Towers B and Site Inspection by the Technical Team held on 20.11.2023. The detailed reports and investigations concerning the structural integrity of Towers B and C of the "Chander Kunj Army Towers" reveal a complex situation regarding building safety, primarily



W.P(C) No.40178/2023 & conn.cases :29:

driven by significant corrosion issues linked to high chloride content in the concrete.

10. Multiple inspections confirmed severe corrosion in the reinforced concrete members due to high chloride content. The sources of chlorides were suspected to include mixing water, curing water, aggregates, or admixtures used during construction. Many reports indicated that while there were no major structural defects initially identified (as noted by Bureau Veritas), various functional distress features needed addressing to prevent further deterioration. Repeated mentions of reappearing cracks demonstrate that prior patching methods are ineffective without tackling root causes. Initial recommendations emphasized investigating corrosion causes and conducting necessary repairs through competent agencies. Subsequent evaluations stressed immediate remedial actions and periodic maintenance as essential for prolonging structural lives. A later evaluation by IIT Madras highlighted that continued occupancy poses serious risks to residents because of significant corrosion levels. Evacuating residents from Towers B and C was recommended due to urgent safety concerns. Several assessments pointed out a lack of documented quality control procedures during construction, which raises alarms about potential future distress not currently visible. Some reports noted limitations in retrofitting options due to accessibility issues within the structures themselves; particularly challenging retrofitting shear walls housing lifts while keeping towers occupied. It's clear from multiple expert recommendations that immediate steps should be taken regarding evacuation before a possible disaster occurs. The ongoing presence of chlorides indicates an inherent flaw in construction practices or



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materials used requiring comprehensive structural treatment rather than surface-level fixes which had proven inadequate.

11. Police complaints were filed by owners to SHO Maradu leading to the registration of FIR-620/2022 and FIR No. 1022/2023 (Exhibits P9 and P10) in W.P(C) No. 40178/2023. A complaint was given before Tripunithura Municipality by the petitioner on 21.08.2023 (Exhibit P11). On 28.10.2023, a complaint was submitted before the District Collector-Disaster Management Authority by the petitioner (Exhibit P13) in which a notice was issued for hearing on 10.11.2023. Subsequently, the District Collector caused an inspection with the technical team on 20.11.2023. WP(C) No. 40178/2023 was filed on 30.11.2023.

12. On 29.03.2024, the following directions were issued by the District Collector (Exhibit P40) on finding severe damage caused to the building requiring retrofitting by the AWHO.

- i. Eviction and Alternate Accommodation.
- ii. Retrofitting works within 10 months and to hand over to the allottees.
- iii. Even after retrofitting, the AWHO will be responsible for the building.

13. On 09.04.2024, the following order was issued by the High Court:

“Learned Counsel for the 5th Respondent (AWHO) is directed to file a report on the implementation of the directions given by the District Collector in the aforementioned order dated 29.03.2024.”



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14. After this, the AWHO filed a statement based on a report of the BVIL dated 15.05.2023 (regarding Tower B) and 30.04.2023 (regarding Tower C) pointing out structural stability issues and suggesting retrofitting. To assist owners during this transition, monthly rental payments of ₹21,000 for Tower B and ₹23,000 for Tower C will be provided until the apartments are restored. Owners in self-occupation will receive an additional ₹30,000 for relocation costs. Notices have been issued for occupants to vacate by June 30, 2024. The contract for restoration works is being finalised with an estimated cost of ₹50-55 crores plus a potential increase of 15-20%. A Project Management Consultant has been engaged at a cost of ₹3.23 crores to supervise the retrofitting process, which is expected to take approximately 21 months from start (July 15, 2024) to completion (April 30, 2026). Inspections will occur throughout and after construction; NDT tests will be conducted at five-year intervals post-completion. A ten-year guarantee on workmanship was included, with no costs borne by allottees—AWHO covers approximately ₹70-80 crores in total expenses related to these efforts.

15. As serious objections were raised against the BVIL report, this Court on 07.06.2024 passed the following order :

“The Parties are given three days time to suggest three names each of experts/organizations which can look into the report and the conclusions prepared by Bureau Veritas India Pvt. Ltd as regards the apartments in question. It shall be filed on or before 12.06.2024.”



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16. Based on the suggestion of the parties, by an order dated 19.06.2024, this Court appointed IISc, Bengaluru as the expert to conduct a structural audit and to offer views on the BVIL Report, to provide pros and cons of retrofitting and the cost of a similar construction. On 10.08.2024, a report was submitted by Dr J.M Chandra Kishen, Department of Civil Engineering, Indian Institute of Science, Bangalore after a structural assessment of the AWHO Housing complex regarding Towers B and C comprising 208 apartments, including the following conclusions:

- (a) The buildings in residential towers B and C are in severe distress. Although the buildings appear to be structurally stable, the amount and nature of distress caused due to corrosion and severe cracking make it highly risky for safe occupation.
- (b) The extent of retrofitting to be carried out as spelt in the report of M/s BVIPL appears to be highly infeasible in terms of cost and time. The root cause of the problem would continue to be present even after the retrofitting is carried out.
- (c) The stability of the foundation is difficult to assess due to prevailing conditions at the site and hence this could be a major concern during and after retrofitting.
- (d) The estimated cost of retrofitting is about eighty six crores of rupees. This cost may increase up to 25% due to high variability in estimation of the total defects and distress. Furthermore, the rates considered in this estimation is the same as used by M/s BVIPL which are more than one year old.
- (e) The estimated cost of putting up of a new construction of a similar nature is about one hundred and fifty crores of rupees.
- (f) The salvage value of the building materials before its demolition may be adjusted against the cost of demolition. Materials such as doors, windows, plumbing



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items, electrical items etc could be recovered before the demolition of the existing buildings.

(g) The cost of new construction is less than twice the cost of retrofitting. Added to this, the life of the new structure would be significantly higher than the retrofitted one. There will be no concerns regarding the stability and safety of the foundation and recurring problems arising due to corrosion.

(h) The extent of distress observed in Tower A is not severe. These defects could be addressed by the retrofitting methods as suggested by M/s BVIPL. The building should be under constant observation. If any major structural defects are seen, they should be brought to the attention of an expert structural consultant.”

17. On 26.09.2024, this Court passed the following order:

“A report has been filed by IISc as directed by this Court on 13.06.2024. The parties are given three weeks time to file their objections/suggestions to the said report.”

18. On 04.11.2024, a statement was filed by AWHO pursuant to the Board of Governors’ meeting, the relevant portion of which is extracted below:

“During the pendency of the writ petition, the 1st respondent passed the order dated 29.03.2024 and this Hon’ble Court by order dated 19.6.2024 directed the IISc, Bengaluru to conduct a study which found that the towers B and C were to be demolished. The Board of Governors of the petitioner herein (5th respondent in the writ petition) has met on 29.10.2024 and has accepted the report as to the distress/damage to the buildings.”

It was further stated that a thorough impact assessment is required before proceeding with the demolition to evaluate its effects on Tower A, central facilities,



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and nearby infrastructure like Kochi Metro Rail Pillars. An in-depth geotechnical assessment must be conducted to analyze the stability and integrity of existing pile foundations before any decisions on demolition or reconstruction can be made. The anticipated timeline for completing both demolition and rebuilding activities is approximately 10 years. Demolition alone is estimated to take around 9 years when factoring in potential delays in obtaining the necessary consent from allottees. Faced with this situation and the Board of Governors of AWHO accepting the report filed by the IISc, three options were given by the AWHO in their statement filed on 29.11.2024, which are as follows:-

Option 1: Refund of money paid retaining the land share.

Option 2: Indexed Refund with Rental Deduction - If allottees reject Option 1, they will be refunded based on indexed cost calculations (taking inflation into account) for both flat and undivided land shares. It includes deductions for rental values during occupancy. The proposed payment schedule suggests that payments would be made in three stages. 40% within one week, 30% within six weeks and the remaining 30% within three months. If neither of the previous options is accepted, Rs.175 Crores was offered towards demolition and reconstruction based on an estimated cost from an independent report.

19. In the wake of the developments noticed above, and as suggested by all parties to explore the possibility of arriving at an amicable settlement through mediation, this Court passed the following order on 29th November 2024:



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“There will be a direction to the writ petitioners, the resident association and the 5th respondent -AWHO in WP(C) No.40178/2023 to suggest panels of three names each of persons to be appointed to explore the possibility of amicably settling the disputes/issues through mediation/conciliation.”

20. Though names were furnished, the said attempt failed due to a lack of consensus between parties. The writ petitioners were not amenable to the options given by the AWHO, and as their attempt to settle through mediation also failed, the writ petitions were heard on merits.

21. W.P(C) No. 40178/2023 was filed on 28.12.2023 by Sri. Cibi George, an allottee seeking to implement Ext.P40 order passed by the District Collector on 29.03.2024 under the provisions of the Disaster Management Act. The main contention in the writ petition is that all the reports referred to earlier clearly show that the building is in such distress requiring urgent evacuation and rehabilitation.

22. W.P(C) No. 10400/2024 was filed on 11.3.2024 by three owners and an Association of few allottees, to direct the Municipality concerned to invoke Section 411 and Rules 106, 107 and 159(2) of the Kerala Municipality Act and the Building Rules. The writ petition proceeds on the ground that the grant of the building permit and also the grant of the Occupancy Certificate were completely against the provisions of the Municipality Act and the building Rules and as they were issued by praying fraud or misrepresentation and not by free will, the Occupancy Certificate issued must be cancelled.



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23. The Residents Association filed W.P(C) No. 24221/2024 on 3.7.2024 where, among other prayers, there is a specific prayer for the reconstruction.

24. W.P(C) No. 20298/2024 was filed by an allottee on 4.6.2024 seeking to implement the order passed by the District Collector referred to above. The said writ petition points out several violations under the Municipality Act commencing from the grant of permit onwards including the following aspects:-

- (a) The maximum permissible FAR without an additional fee was set at 1.5. However, the approved plan indicated a plinth area that contradicted this limit due to incorrect calculations by respondents.
- (b) AWHO failed to obtain prior clearance from the Kerala Coastal Zone Management Authority (KCZMA), violating CRZ Notification 2011.
- (c) Construction of compound walls occurred without necessary permissions, breaching Rule 96 related to coastal regulations.
- (d) The location and operation of the STP did not align with existing norms under Kerala Factories Rules, leading to environmental concerns such as foul odours and illegal waste discharge into water bodies.
- (e) Failures included lack of mandatory open spaces around the STP and inadequate compliance with waste treatment standards outlined in Rule 59(5).
- (f) There are allegations regarding deviations from approved structural designs that undermined building stability—violating Rule 120 KMBR.
- (g) Changes made during construction compromised quality standards due to the use of subpar materials and improper construction techniques, such as replacing columns with corbels.
- (h) AWHO did not appoint a site supervisor as mandated under Rule 120A KMBR or duly inform authorities about any appointments—a



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significant oversight impacting compliance enforcement.

- (i) Various conditions stipulated within Environmental Clearance were neglected:
- (j) Failure to submit “Consent to Establish” before initiating construction.
- (k) Non-compliance with road width requirements for high-rise buildings and failure to provide adequate green belts around project peripheries.
- (l) Lack of independent certification for STP installation before operation commencement.
- (m) Absence of energy conservation reports conforming with Bureau standards within specified timelines. Continuous reporting obligations regarding compliance status were not met; including six-monthly updates on EC conditions sent via both hard copy and electronic means—a failure affecting transparency. The requirement of periodic uploads on compliance status related to EC conditions on their website was neglected, thus failing to maintain public accountability.

25. W.P(C) Nos. 22536/2024, 28289/2024, 29703/2024, and 35585/2024 were filed by the allottees respectively on 17.6.2024, 30.7.2024, 14.8.2024 and 08.10.2024, praying to award compensation for the distress suffered and for the purchase of an apartment in the same area.

26. W.P(C) No.21253/2024 was filed by an allottee on 12.6.2024 seeking to quash Ext.P9 order of the District Collector dated 29.3.2024 in so far as the said order directed retrofitting. The writ petition seeks compensation with a prayer for reconstruction as well.

27. The learned Senior Counsel Sri. P. Ravindran appearing for the



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Residents Association argues that the contention of the AWHO that it is not a 'State' cannot be accepted and submits that the writ petitions are maintainable. Mr Ravindran submits that, at any rate, the writ petition is maintainable as AWHO does public duty/public function even if it is not a State. He submits that a division bench of the Delhi Court has considered the same in **Brij Bhushan Gupta v. Union of India and others** [42 (1990) DLT 537] and held that AWHO is a State. Though a subsequent Division Bench in **Army Welfare Housing Organisation v. Adjutant General's Branch & Ors.** [2014 SCC OnLine Del 6435] considered the above judgment, there is no finding as to whether the earlier Division Bench judgment is *per incurium* and therefore the earlier Division Bench judgment was binding on the subsequent Bench. At any rate, it is submitted that the AWHO who is a party to a judgment of the Delhi High Court which held that AWHO is a State and the said judgment having become final, it is not open to AWHO to say that it is not a State and an instrumentality under Article 12.

28. The learned Senior counsel also argues that the AWHO is solely responsible for the situation that the allottees are faced with. All the allottees had spent their hard-earned money on purchasing the flat and due to the fault in the construction for which the AWHO, the Architect and the Contractor are equally responsible, and since the report of the IISc clearly shows that there is no other option but to pull down the buildings, the AWHO must be directed to reconstruct the buildings and hand it over to the allottees. It is also pointed out that they are not agreeable to the options given by the AWHO. He relied on the following judgments to



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substantiate his submissions:-

Ajay Hasia v. Khalid Mujib Sehravadi & ors. [AIR 1981 SC 487], St.Mary's Education Society and another v. Rajendra Prasad Bhargava and others [(2023) 4 SCC 498], Brij Bhushan Gupta v. Union of India and others [42 (1990) DLT537], Andi Mukta Sadguru Shree Muktajee Vandas Swami Suvarna Jayanti Mahotsav Smarak Trust and others v. V.R. Rudani and others [(1989) 2 SCC 691], Zee Telefilms Ltd. and Anr. v. Union of India and Ors. [(2005) 4 SCC 649] and Mary Pushpam v. Telvi Curusumary & ors. [Civil Appeal No.9941/2016].

29. The learned counsel Sri. Jacob Mathew Manalil submits that in view of the fraud played from the stage of obtaining the building permit till the issuance of the occupancy certificate, the same must be cancelled. He also argued that a reading of the counter-affidavits filed by the Architect and the Contractor would clearly show that they are blaming each other. It is an admitted fact that the flats constructed are in severe distress and the same is to be demolished to avert danger to the allottees.

30. The learned counsel Sri. K. Shaj, reiterating the pleadings, pointed out various infractions of law from the stage of the permit and argued that strict action must be taken against the Municipality and all official authorities for permitting the construction and cited the following judgments:-

Asset Homes Pvt. Ltd. (M/s.) and another v. State of Kerala and another [2011 (2) KHC 559], Manoj Singh & ors. v. Chintel India Pvt. Ltd. & Ors. [W.P(C) No.273/2022], Rajendra Kumar Barjatya and Ors. v. U.P. Avas Evam Vikas Parishad and ors. [MANU/SC/1351/2024]

31. The learned counsel Sri. P. Haridas appearing in W.P(C) No.21253/2024



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argues that the right to residence is to be considered a fundamental right and therefore AWHO cannot wash off its hands and has to be bound by the directions issued by this Court for reconstruction. It is also argued that the writ petition is perfectly maintainable against the AWHO as the fundamental right of the petitioners is infringed by the actions of the AWHO. Sri. Haridas cited the following judgments:-

Binny Ltd. and another v. V. Sadasivan and others [2005 KHC 1303], Sukhdev Singh and others v. Bhagatram Sardar Singh, Raghuvandshi and another [1975 KHC 505], Ramana Dayaram Shetty v. The International Airport Authority of India and others [1979 KHC 621], Thangam v. Navamani Ammal [2024 KHC 6110], Bodhisattwa Gautam v. Subhra Chakraborty [1996 KHC 634], Sanjay Gupta v. State of Uttar Pradesh Though its Chief Secretary [2022 KHC 6403], Jeeja Ghosh and anr. v. Union of India and others [2016 KHC 6361], Kaushal Kishor v. State of Uttar Pradesh [2023 KHC 6003] and Olga Tellis and Ors. v. Bombay Municipal Corporation and ors. [(1985) 3 SCC 545].

32. The learned counsel Sri.K. Sasikumar appearing for the petitioners in W.P(C) No. 22536/2024 submits that his prayer is for compensation. However, if all the allottees are willing and if the AWHO is directed to reconstruct the building, they are also willing for the same.

33. Opposing the prayers in the writ petition, Sri. Benny Gervasis, the learned Senior Counsel for the AWHO argues that no relief can be claimed against the AWHO as no writ can be maintained against it. It is argued that AWHO is not a State, within the meaning of Article 12 of the Constitution of India and that it is not discharging any public duty or public function in the matter of construction of residential apartments to its officers. The learned counsel also argues that since the



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dispute is regarding the contract entered between the parties, the writ petition need not be entertained. He also reiterates that the options given by him and which are extracted above are reasonable and if the petitioners agree to any one of them, the matter can be settled. Sri. Benny Gervasis cites the following judgments:-

Army Welfare Housing Organisation v. Adjutant General's Branch & Ors. [2014 SCC OnLine Del 6435], Sitco Associates v. State of Keala [2023 KHC 496], State of Bihar and others v. Jain Plastics and Chemicals Ltd. [2002 KHC 1091], Air Vice Marshal J.S. Kumar v. Governing Council of Air Force Sports Complex & another [2006 (86) DRJ 711 (DB)], Pradeep Kumar Biswas v. Indian Institute of Chemical Biology [2002 KHC 627], Tekraj Vasandi alias, K.L. Basandhi v. Union of India and others [1988 KHC 867], Ajai Hasia and others v. Khalid Mujib Sehravardi and others [1981 KHC 523] and Lt.Col. Ashok M. Chacko (Retd.) v. Union of India and others [W.P(C) No.16699/2006].

34. Heard Sri.T.C. Krishna, the learned DSGI, Sri.K.S. Arun Kumar, the learned Standing Counsel for Tripunithura Municipality, Sri. T. Naveen, the learned Standing Counsel for the PCB, Sri. Prakash M.P., the learned Standing Counsel for KCZMA, and Sri. Sreejith V.S., the learned Government Pleader for the State.

35. At the close of the arguments, the learned Senior Counsel appearing for AWHO submitted that if the Architect and the Contractor are prepared to reconstruct the building, as no retrofitting is possible and if it is agreeable to the Residents Welfare Association, an amicable solution can be arrived at which will put a quietus to the entire issues. Accordingly, the following order was passed by this Court on 20th December, 2024:-

"Pursuant to the order passed by this Court on 19.06.2024 in the above



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writ petitions, a report has been filed by the Indian Institute of Science (IISc), Bangalore, after conducting a structural audit. The report clearly mentioned that no retrofitting is possible with respect to Towers B and C, the subject matter of the writ petitions. The report of the IISc has been accepted by the Army Welfare Housing Organization (AWHO). The writ petitions seek compensation from the AWHO and also for a direction to the AWHO to reconstruct Towers B and C.

2. The affidavit filed by the AWHO on 04.11.2024 had given three options to the owners of the apartments. The resident's association was not amenable to the options given by the AWHO. Accordingly, the writ petitions were heard on merits.

3. At the close of the arguments, the learned Senior Counsel appearing for AWHO submits that if the Architect and the Contractor are prepared to reconstruct the building as no retrofitting is possible and if it is agreeable to the residents association, an amicable solution can be arrived at which will put a quietus to the entire issue. This Court accordingly directed the learned counsel appearing for the Architect, the Builder and also the writ petitioners to get instructions on the same.

4. Today when the matter is taken up, the learned counsel appearing for the Architect and the learned Senior Counsel appearing for the Builder submit that in principle they agree to the suggestions made by the learned Senior Counsel appearing for the AWHO. They also submit that the modalities have to be worked out and a clear road map prepared under the supervision of this Court. It is heartening to note that the parties have in principle agreed to the above suggestions, fairly made on behalf of the AWHO.

5. In view of the above, there will be a direction to the AWHO, the Architect, the Builder, the owners association and the remaining writ petitioners to file their road map/blue print/options for going ahead with the proposal suggested for reconstruction. The parties are directed to



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serve the copies of their response on the other side. Post on 10.01.2025.”

Despite the above, there was no unanimity between parties on the way forward, and the last attempt to solve the issue also failed and the writ petitions were reserved for judgment.

36. As regards the contention raised on behalf of the AWHO on the maintainability of the writ petitions relying on the decision in *Army Welfare Housing Organisation v. Adjutant General's Branch & Ors.* [2014 SCC OnLine Del 6435], the said judgment dealt with whether the AWHO was a public authority within the meaning of the Right To Information Act and it did not specifically consider the question as to whether the AWHO is a State or an instrumentality or about the maintainability of the writ petition against the said body. It is to be noticed that the issue as to the maintainability of the writ petition against AWHO was specifically considered by the Division Bench of the High Court in **Saroj Devi v. Union of India and others** [MANU/DE/1851/2008], as follows:-

“15.The scope of mandamus is determined by the nature of the duty to be enforced rather than the identity of the authority against whom it is sought though the courts always retain the discretion to withhold the remedy where it would not be in the interest of justice to grant it. It was held that a body is performing a public function when it seeks to achieve some collective benefit for the public or a section thereof and is accepted by the public or a section thereof as having authority to do so. Bodies, therefore, exercise public functions when they intervene or participate in social or economic affairs in the public interest though there cannot be any general definition of ‘public authority’ or ‘public function’ and the facts of each case would decide the point.



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29. It can be seen that a writ of mandamus or the remedy under Article 226 is pre-eminently a public law remedy and is not generally available as a remedy against private wrongs. It is used for enforcement of various rights of the public or to compel the public/statutory authorities to discharge their duties and to act within their bounds. It may be used to do justice when there is wrongful exercise of power or a refusal to perform duties. This writ is admirably equipped to serve as a judicial control over administrative actions. This writ could also be issued against any private body or person, specially in view of the words used in Article 226 of the Constitution. However, the scope of mandamus is limited to enforcement of public duty. The scope of mandamus is determined by the nature of the duty to be enforced, rather than the identity of the authority against whom it is sought. If the private body is discharging a public function and the denial of any right is in connection with the public duty imposed on such body, the public law remedy can be enforced. The duty cast on the public body may be either statutory or otherwise and the source of such power is immaterial, but, nevertheless, there must be the public law element in such action. Sometimes, it is difficult to distinguish between public law and private law remedies.

17. The personnel of the Army services carry out the important function of defending the borders and perform all linked services thereof. In fact, there have been periodic reviews by the Government to see how best the conditions of serving and retired personnel as also of the widows of the Army personnel could be ameliorated. The problem of housing is an all pervading one. Local bodies and Housing Organizations have taken up



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projects for development of housing for benefit of different sections of the Society. AWHO has been set up and is geared towards providing such housing facility for the benefit of the three categories of people being; serving and retired Army personnel as also the widows of the Army personnel. The need of such persons is acute. It is not disputed that the Adjutant General by designation is the head of the AWHO and land at concessional rates is sought from the Government and other bodies for housing projects. The object is thus apparent to provide housing at reasonable rates to these three categories of people.

18. The mere fact that AWHO/R-3 is a Society registered under the Societies Registration Act, 1860 does not imply that it is outside the purview of Article 226 of the Constitution of India so long as it is performing a public function having a public character. Providing housing to a section of society consisting of serving or retired Army personnel or widows of Army personnel at concessional rates is certainly such a public function. AWHO/R-3 can hardly be permitted to plead that the function of allotment is discretionary and it can do whatever it wants. In fact, the brochure of AWHO/R-3 itself lays down the guidelines for making such allotments which are done by draw of lots from eligible persons. It is in discharge of this function that the decision was taken to reject the application of the petitioner only on the ground that the widows of APS are not entitled to dwelling units promoted by AWHO/R-3.

19. We are thus of the considered view that the triple criteria as laid down in Binny Ltd. and Anr. v. V. Sadasivan and Ors"s case (supra) is fully satisfied in the facts of the present case.

20. In view of the aforesaid pronouncement we do not consider it necessary to go into other judgments on this point. If the parameters as enunciated aforesaid are applied to the facts of the present case, we have no doubt that



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the present writ petition under Article 226 of the Constitution of India would be maintainable.

21. It has rightly been emphasized that the focus has to be on the nature of activity rather than the entity. It may be possible to plead that if the AWHO/R-3 enters into a contract for construction of dwelling units and there is a breach of terms, a writ may not be the remedy under Article 226 of the Constitution of India. The allocation of flats for housing as per the eligibility criteria is not a purely contractual function so as to non suit the petitioner. It is not necessary that a duty has to be statutory. AWHO/R-3 is thus performing a public function of seeking to achieve collective benefit for a section of the public and providing such housing to the personnel.”

37. Special Leave Petition (C) No. 29022/2015 filed against the above judgment was dismissed on 26.10.2015. Given the above, the AWHO should be held to be bound by the said judgment in the absence of a challenge to the said conclusion arrived at by the Division Bench. It is doubtful as to whether AWHO can, after suffering a judgment that determined/declared the status of the organisation be permitted to argue, to the contrary. That apart, in these writ petitions, the Union Government, the State Government and several authorities that fall under the description of State and other instrumentalities are made parties and reliefs are also sought against them. There are serious statutory violations alleged against the AWHO being the owner/builder, which is the basis of the reliefs claimed against them.

38. The writ court has the jurisdiction to entertain petitions involving disputed questions of fact, and there is no absolute bar to such cases arising from contractual obligations. Under Article 226, the High Court can intervene if a state



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instrumentality acts arbitrarily, even in contractual matters. The Court can grant relief when state actions contravene public good or interest and violate the constitutional guarantee of fairness under Article 14. The power to issue prerogative writs is broad and not limited by other constitutional provisions; thus, the High Court may exercise this jurisdiction despite available alternative remedies. While normally factual issues should be addressed in civil courts, in cases like this where flats are set for demolition, the only remaining question concerns reliefs that can be granted through a writ petition—making it maintainable. Judicial review under Article 226 remains warranted for perceived arbitrariness in State actions related to contracts, as held in the precedents that emphasize judicial intervention regardless of contractual complexity or factual disputes.

39. AWHO claims that distress to the buildings arose from acts or omissions of the Project Director, the architect and the contractor, including negligence in ensuring structural stability and adherence to project specifications. It is alleged that the architect changed building layouts without proper checks for structural integrity despite a contract worth over Rs.3 crore with the architect. Lapses were reported during construction.

40. The petitioners assert that there was negligence in adhering to planning and supervisory instructions resulting in poor construction quality due to low-quality materials used by Silpa Constructions. The architect contends it fulfilled its obligations while claiming that any observed distress was due to design inadequacies rather than construction defects. Reports allege failures on the part of



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the Project Director, the architect and the builder. The architect allegedly breached his duties by issuing completion certificates despite known defects and inadequate scrutiny of workmanship or materials used during construction. Conversely, M/s Silpa Projects denies using substandard materials and attributes any distress seen in Towers B and C primarily to design changes made without proper vetting rather than their work quality. They argue significant alterations led to cracks resulting from overstress conditions due to inadequate designs approved initially. Both parties acknowledge numerous defects throughout construction with no proper remedial measures. Ultimately, independent reports conclude severe structural issues within the buildings necessitating demolition based on human-induced failures from all involved parties—AWHO (the society), architects, contractors—and the statutory authorities including the Municipality concerned who failed in their statutory responsibilities leading up to this situation.

41. The Inspection reports also reveal a lack of quality control during construction, with no documentation of mandatory tests for materials like steel, aggregates, and cement. Bureau Veritas identified high chloride content in concrete and rapid carbonation as primary causes of distress, corroborated by IISc, Bengaluru's final report, accepted by AWHO. The report of the Internal Vigilance Officer attached to the office of the Joint Director, LSGD, Ernakulam dated 25.09.2024 finds that the issuance of the building permit and the occupancy certificate were illegal and recommended cancellation of the occupancy certificate. As regards the AWHO, Tripunithura Municipality and even the Vigilance, their acts display a complete and



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evident lack of supervision, apart from an abject abdication of the statutory functions vested in them. It is not disputed and it cannot be disputed that the building in question is in such distress that no retrofitting is possible. Though the learned counsel Sri Shaj raised many violations of the Kerala Municipality Act and the Building Rules, most of which are substantial, the same need not be separately considered as the building itself is liable to be demolished.

42. It is indeed unfortunate that the victims of all the illegal actions noted above are the Army personnel. People sign up to join the armed forces with considerable enthusiasm and a sense of patriotic duty. This entails a conscious decision to put their lives on the line and be prepared for the ultimate sacrifice of their lives and therefore it is indispensable that all state functionaries, including military officers, uphold the highest standards of safety and well-being—physically and mentally—for personnel and to treat every member of the armed forces with dignity and honour at all times. This duty not only ensures the morale of the forces but also reinforces their commitment by showing that their lives matter. Any lapse in these standards can erode confidence, undermine morale, and create feelings of injustice among service members.

43. True, the AWHO, in line with the above imperative, has made the following statements in the affidavit.:

“This respondent AWHO remains committed to assist its allottees at this critical moment of time, wherein the failure on part of the contractor, Architect and the Project Director primarily has caused it much loss of



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reputation and immense financial loss.

While AWHO will take time to recuperate its losses, but it remains steadfast in standing with its brethren in this hour of crisis and will undertake all possible activities to ensure protection of allottees interest and making the firms (Contractor, Architect and Project Director) liable for its criminal breach of trust and failure to adhere to the provisions of various Memorandum of Understandings & Contracts in the days to come and shall share the recoveries with its allottees, as and when received."

44. AWHO has initiated arbitration against the project director, architect, and contractor to recover losses, making it unnecessary for this Court to investigate responsibility for the situation further.

45. The District Collector issued Ext.P40 order on 29.03.2024 under the Disaster Management Act, 2005, directing immediate evacuation and instructing AWHO to comply. The Act defines a "disaster" under Section 2(d) as a significant event causing substantial loss of life, property damage, or environmental degradation, and Section 2(e) outlines "disaster management" as an integrated process involving prevention, mitigation, preparedness, response, and rehabilitation. Section 30 grants the District Authority powers to establish guidelines, examine construction standards, and enforce compliance, while Section 34(k) allows for emergency measures, including the demolition of hazardous structures. The National Disaster Management Plan (NDMP) 2016 highlights human-induced disasters, emphasizing proactive measures to prevent such risks. The District Authority's responsibilities include ensuring structural safety and mitigating man-made disasters through timely action.



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46. The distress to the towers is undeniably human-induced, causing significant loss and suffering due to cumulative violations of regulatory, structural, and environmental standards. Continued occupation poses grave risks, necessitating immediate evacuation to ensure community safety. Considering the expert reports, the Kerala Municipalities Act, 1994, the Kerala Municipality Building Rules 1999, and the Disaster Management Act, 2005 and the order passed by the District Collector, there is no alternative but to direct AWHO to demolish and reconstruct Towers B and C to prevent casualties and protect lives and properties.

47. Given the above, the writ petitions are allowed, modifying the order passed by the District Collector dated 29.03.2024, as under:

a) The District Collector is directed to constitute a committee comprising of experts including an experienced Structural Engineer, two owners from the Residents Association, an experienced Engineer from the Municipality concerned, an experienced Officer from the Town Planning Department and such other personnel necessary for a proper implementation of the demolition and reconstruction of the towers with equal size and facilities. The said committee will meet within two weeks from today and decide the modalities for evacuation of the allottees, for demolition and reconstruction of the Towers in question.

b) The committee referred to above will have the power to make the appropriate choice of technology, including architectural and structural designs and a project impact assessment, for the demolition and reconstruction and to ensure that it does not affect the communities in the affected areas or the neighbourhood. This includes setting clear timelines for evacuation, demolition, and reconstruction to avoid unnecessary delays.



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- c) The committee will take all steps to pool the professional skills and expertise required to realise the objective of ensuring a faster evacuation, demolition, and reconstruction and shall make every endeavour to build consensus among all the stakeholders to speed the reconstruction process.
- d) As soon as the authorities concerned in the State of Kerala receive applications regarding demolition or reconstruction, subject to meeting all the parameters, permission will be accorded without any unnecessary delay by treating this as a special case.
- e) The AWHO will be further directed to disburse the amounts admitted in their counter affidavit, namely Rs.1,75,00,00,000/-, in the manner suggested by the committee.
- f) AWHO will also disburse the amounts, if any ordered in the arbitration proceedings pending against the contractor the architect and the project director, less the actual amount of expenses incurred by AWHO for the arbitration proceedings. AWHO will also utilize insurance claims for the demolished structure, if any, to cover the costs.
- g) The Committee may also collect the salvage value of the building materials and attempt to recover/use such materials for reconstruction wherever possible.
- h) AWHO can also seek permission to construct additional floors/additional areas on the same site where the towers were situated, subject to the provisions of the relevant Building Rules, to enable them to offset the expenses incurred in the demolition and reconstruction.
- i) The owners have occupied the building, used it, and even obtained rental



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income from 2018 to date. After reconstruction, they will be getting a brand new building. Consequently, the committee will also decide on the extra amount that can be collected from the owners before handing over the newly constructed building.

j) Apart from the amount/heads mentioned above, the AWHO shall bear the balance cost, for the process detailed above.

k) The AWHO will pay the owners of Tower B and C, who were residing as of 29.03.2024, Rs.21,000/—and Rs. 23,000/—respectively per month towards the expenses for alternate accommodation until reconstruction.

l) The committee will be empowered to decide any other matter that arises during evacuation, demolition, or reconstruction, subject to the provisions of law.

m) The committee while carrying out the activities as directed will take note of the suggestions made by the IISc in its report dated 10.08.2024 as well as the directions issued by the Hon'ble Supreme Court in **Rajendra Kumar Barjatya and Ors. v. U.P. Avas Evam Vikas Parishad and ors. [MANU/SC/1351/2024]**.

n) The committee will also be empowered to make such complaints against those responsible for creating a situation that led to the demolition of the towers in question.

The Writ petitions are allowed as above. All the pending interlocutory applications are closed.

Sd/-

**MOHAMMED NIAS C.P.
JUDGE**

okb/



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APPENDIX OF WP(C) 10400/2024

PETITIONERS' EXHIBITS

- Exhibit P1 TRUE COPY OF THE APPLICATION CUM REGISTRATION RECEIPT DATED 08-08-2006, ISSUED BY THE 4TH RESPONDENT
- Exhibit P2 TRUE COPY OF THE E-MAIL DATED 1ST DECEMBER 2016, SENT AT 11.45 A.M. TO THE 4TH RESPONDENT
- Exhibit P3 TRUE COPY OF THE INFORMATION AVAILABLE ON THE WEBSITE OF 4TH RESPONDENT
- Exhibit P4 TRUE COPY OF THE SALE DEED CONVEYING APARTMENT NO. B-2403 HAVING DOOR NUMBER 45/ 454 AZ 2 ALONG WITH A CAR PARKING AND 0.627 ARES OF UNDIVIDED SHARE IN 1 HECTRE 71 ARES OF LAND IN NADMA VILLAGE
- Exhibit P5 TRUE COPY OF THE OCCUPANCY CERTIFICATE DATED 09-02-2018 ISSUED BY THE 1ST RESPONDENT
- Exhibit P6 TRUE COPY OF THE LETTER DATED 22ND MARCH 2018, FROM THE 4TH RESPONDENT, AWHO TO COL. C.M. UNNITHAN, ONE OF THE OWNERS
- Exhibit P7 THE LETTER DATED 14-08-2020 ISSUED BY THE PRESIDENT OF THE 6TH RESPONDENT ASSOCIATION BRINGING TO NOTICE OF THE 4TH RESPONDENT, THE SEVERITY OF THE PROBLEMS IN THE CONSTRUCTION TOGETHER WITH A REPORT AND CONCLUDING WITH CERTAIN RECOMMENDATIONS
- Exhibit P8 TRUE COPY OF THE REPORT DATED 15TH SEPTEMBER 2020 OF THE DEPARTMENT OF CIVIL ENGINEERING, MAR ATHANASIOUS COLLEGE OF ENGINEERING, KOTHAMANAGALAM
- Exhibit P9 TRUE COPY OF THE REPORT OF BUREAU VERITAS (INDIA) PRIVATE LIMITED, AFTER INVESTIGATION OF DISTRESS, SUBMITTED ON 3RD DECEMBER 2020.
- Exhibit P10 TRUE COPY OF THE REVIEW DATED 14TH DECEMBER 2020 OF THE REPORT BY BUREAU VERITAS (INDIA) PRIVATE LIMITED, PREPARED BY ENGINEERS FROM IIT MADRAS AND M.A COLLEGE OF ENGINEERING, KOTHAMANAGALAM
- Exhibit P11 TRUE COPY OF THE LETTER DATED 22ND FEBRUARY 2021, ISSUED TO THE 8TH RESPONDENT BY COL. C.M. UNNITHAN, AN OWNER ON BEHALF OF 40 OTHERS
- Exhibit P12 TRUE COPY OF THE FINAL REMARKS DATED 31-03-2022,



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REGARDING RETROFITTING OF CHANDER KUNJ ARMY TOWERS,
PREPARED BY KIRAN C.J, ASSISTANT PROFESSOR,
GOVERNMENT ENGINEERING COLLEGE, BARTON HILL,
THIRUVANANTHAPURAM

- Exhibit P13 TRUE COPY OF THE LETTER DATED 17/2/23, ISSUED TO 4TH
RESPONDENT BY THE 5TH RESPONDENT
- Exhibit P14 TRUE COPY OF THE MINUTES OF THE GENERAL MEETING OF
THE 6TH RESPONDENT ASSOCIATION HELD ON 26TH FEBRUARY
2023
- Exhibit P15 TRUE COPY OF THE REPORT DATED 21-12-2023, ISSUED TO
THE 2ND RESPONDENT, DISTRICT COLLECTOR BY THE JOINT
DIRECTOR, PWD REGIONAL DESIGN OFFICE ALONG WITH
COVERING LETTER
- Exhibit P16 THE DISCLAIMER PORTION OF REPORT WITH RESPECT TO
TOWER-A, FOR THE ASSESSMENT PERIOD, 20TH FEBRUARY
2023 TO 24TH FEBRUARY 2023
- Exhibit P17 A TRUE COPY THE DISCLAIMER CLAUSE OF TOWER-C FOR THE
PERIOD, 18TH JANUARY 2023 TO 24TH MARCH 2023
- Exhibit P18 TRUE COPY OF THE REPORT DATED 15/05/2023
- Exhibit P19 TRUE COPY OF THE LETTER DATED 9TH OCTOBER 2023,
ISSUED BY COL. C.M. UNNITHAN, A KARGIL WAR VETERAN
WITH THE CONSENT OF 15 OTHERS
- Exhibit P20 TRUE COPY OF THE LETTER DATED 9TH JANUARY 2024 ISSUED
BY THE 4TH RESPONDENT TO THE 6TH RESPONDENT
- Exhibit P21 TRUE COPY OF THE LETTER DATED 25TH JANUARY 2024,
ISSUED BY THE 1ST PETITIONER TO THE 1ST RESPONDENT
- Exhibit P22 TRUE COPY OF THE REPORT DATED 29TH JANUARY 2024 OF
THE ASSISTANT EXECUTIVE ENGINEER, TRIPPUNITHURA
MUNICIPALITY
- Exhibit P23 TRUE COPY OF THE MESSAGE FORWARDED THROUGH E-MAIL
DATED 6TH JUNE 2023, BY THE 6TH RESPONDENT
- Exhibit P24 TRUE COPY OF THE MINUTES OF MEETING WITH MD AWHO AND
OWNERS HELD AT CKAT CLUB HOUSE ON 13TH FEBRUARY 2024
- Exhibit P25 TRUE COPY OF THE COMBINED REPORT DATED 05-03-2024
REGARDING UNSAFE CONDITION OF THE BUILDING, CHANDER
KUNJ



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Exhibit P26 TRUE COPY OF THE LETTER DATED 17 TH MAY 2024 ISSUED TO THE PRESIDENT OF CATAOA THE 6 TH RESPONDENT

Exhibit P27 TRUE COPY OF THE ORDER DATED 25/09/2024 ISSUED BY INTERNAL VIGILANCE OFFICER, O/O JOINT DIRECTOR, LOCAL SELF GOVERNMENT DEPARTMENT, ERNAKULAM

Exhibit P27 TRUE PRINTOUT OF THE ENQUIRY REPORT DATED 25/09/2024 SUBMITTED BY THE INTERNAL VIGILANCE OFFICER, LSGD, ERNAKULAM

Exhibit P28 TRUE COPY OF THE HANDING OVER INSTRUCTIONS AND STATEMENT OF ACCOUNTS DATED 27TH JULY 2017 ISSUED BY THE 4TH RESPONDENT, AWHO TO THE MOTHER OF THE LST PETITIONER

Exhibit P29 TRUE COPY SPECIAL GENERAL BODY RESOLUTION FOR MEDIATION/ CONCILIATION DATED 8TH DECEMBER 2024

Exhibit P30 TRUE COPY OF THE DECLARATION DATED 22/09/2011 OF THE 4TH RESPONDENT, AWHO.

RESPONDENTS' EXHIBITS

Exhibit R6(a) A TRUE COPY OF THE PLAINT DATED 12.02.2024 IN O.S NO. 153 OF 2024 BEFORE THE MUNSIF COURT ERNAKULAM

Exhibit R6(b) A TRUE COPY OF THE MINUTES OF THE GENERAL BODY MEETING DATED 28.05.2023 OF THE 6TH RESPONDENT

Exhibit R6(c) A TRUE COPY OF THE MINUTES OF THE GENERAL BODY MEETING DATED 05.11.2023 OF THE 6TH RESPONDENT

Exhibit R6(d) A TRUE COPY OF THE MINUTES OF THE GENERAL BODY MEETING DATED 18.02.2024 OF THE 6TH RESPONDENT

Exhibit R6(e) A TRUE COPY OF THE ORDER DATED 29.03.2024 OF THE DISTRICT COLLECTOR, ERNAKULAM

Exhibit R4(ac) TRUE COPY OF INVOICE DATED 02.11.2023

Exhibit R4(ad) TRUE COPY OF STATEMENT OF LT. COL. ANIL RAJ

Exhibit R4(af) TRUE COPY OF WEBPAGE OF STRUFOCON ENGINEERS PVT. LTD.

Exhibit R4(ah) TRUE COPY OF STRUCTURAL STABILITY REPORT DATED NIL OF THE 5TH RESPONDENT



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Exhibit R4(b)	TRUE COPY OF THE SECOND REPORT DATED 14.12.2020 PREPARED JOINTLY BY MACE AND IIT MADRAS
Exhibit R4(d)	TRUE COPY OF ORDER DATED 08.04.2024 IN ARB.P NO. 473 OF 2024 AND 474 OF 2024 OF HONOURABLE DELHI HIGH COURT
Exhibit R4(f)	TRUE COPY OF THE MINUTES OF MEETING HELD ON 12.07.2022
Exhibit R4(h)	TRUE COPY OF BYELAW OF THE CATAOA
Exhibit R4(a)	TRUE COPY OF REPORT DATED 15.09.2020 OF THE MA COLLEGE OF ENGINEERING
Exhibit R4(c)	TRUE COPIES OF NOTICES SENT TO RESPONDENT NO 5 AND 7
Exhibit R4(e)	TRUE COPY OF COMPLETION CERTIFICATE DATED 12.07.2018 ISSUED BY THE 5TH RESPONDENT
Exhibit R4(i)	TRUE COPY OF REPORT DATED 14.08.2020 OF THE RECTIFICATION BOARD
Exhibit R4(k)	TRUE COPY OF LETTER DATED 05.03.2021 ADDRESSED BY THE PROJECT DIRECTOR
Exhibit R4(l)	TRUE COPY OF REVISED REPORT DATED 15.05.2021 SUBMITTED BY BVIL
Exhibit R4(m)	TRUE COPY OF COMMUNICATION DATED 26.05.2021 OF RWA
Exhibit R4(n)	TRUE COPY OF REPORT DATED 31.03.2022 OF THE GOVT. ENGINEERING COLLEGE, THIRUVANANTHAPURAM
Exhibit R4(o)	TRUE COPY OF REPORT DATED 21.10.2022 SUBMITTED BY BVIL
Exhibit R4(p)	TRUE COPY OF COMMUNICATION OF COL. CIBY GEORGE DATED 01.08.2023
Exhibit R4(r)	TRUE COPY OF COMMUNICATION DATED 18.08.2023 TO THE COMMISSIONER AND INSPECTOR GENERAL OF POLICE, KERALA
Exhibit R4(t)	TRUE COPY OF COMMUNICATION DATED 07.09.2023
Exhibit R4(s)	TRUE COPY OF COMMUNICATION DATED 31.08.2023



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Exhibit R4(u)	TRUE COPY OF CRIMINAL COMPLAINT AND LEGAL NOTICE DATED 19.09.2023
Exhibit R4(v)	TRUE COPY OF COMMUNICATION DATED 21.09.2023
Exhibit R4(w)	TRUE COPY OF COMMUNICATION DATED 22.09.2023
Exhibit R4(x)	TRUE COPY OF AGREEMENT DATED 13.05.2024
Exhibit R4(z)	TRUE COPY OF LETTER DATED 27.07.2021
Exhibit R4(aa)	TRUE COPY OF COMMUNICATION DATED 05.12.2023 ISSUED BY 6TH RESPONDENT
Exhibit R4(ae)	TRUE COPY OF RWA LETTER DATED 05.12.2023
Exhibit R4(ag)	TRUE COPY OF ORDER DATED 29.03.2024 OF THE DISTRICT COLLECTOR ERNAKULAM
Exhibit R4(g)	TRUE COPY OF MINUTES OF MEETING HELD ON 16.12.2018 DATED 24.01.2019
Exhibit R4(j)	TRUE COPIES OF EMAIL DATED 09.10.2020 AND MINUTES OF VIDEO CONFERENCING DATED 21.10.2020
Exhibit R4(y)	TRUE COPY OF LETTER DATED 14.12.2023 AND 19.12.2023
Exhibit R4(ab)	TRUE COPY OF EMAIL COMMUNICATIONS OF LT. COL. ANIL RAJ AND PROF. RADHAKRISHNA G PILLAI
Exhibit R4(q)	TRUE COPY OF REPORT DATED 30.04.2023 FOR TOWER C TOWER A AND CLUB HOUSE AND REPORT DATED 15 MAY 2023 FOR TOWER B
Addl. Exhibit R7(c) (a)	TRUE COPY OF LETTER DT. 08.02.2023 ISSUED BY RESPONDENT AWHO TO M/S AJIT ASSOCIATES
Exhibit R5(g)	TRUE COPY OF LETTER DATED 27.03.2013 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(h)	TRUE COPY OF LETTER DATED 18.09.2013 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(i)	TRUE COPY OF LETTER DATED 11.11.2013 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(a)	TRUE COPY OF LETTER DATED 02.05.2014 ISSUED BY THE 5TH RESPONDENT



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W.P(C) No.40178/2023 & conn.cases :59:

Exhibit R5(b)	TRUE COPY OF LETTER DATED 31.05.2014 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(c)	TRUE COPY OF LETTER DATED 14.06.2014 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(d)	TRUE COPY OF LETTER DATED 25.07.2014 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(e)	TRUE COPY OF LETTER DATED 05.01.2018 ISSUED BY THE 4TH RESPONDENT
Exhibit R5(f)	A TRUE COPY OF LETTER DATED 06.01.2015 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(j)	TRUE COPY OF LETTER DATED 31.12.2013 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(k)	TRUE COPY OF LETTER DATED 03.12.2013 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(l)	A TRUE COPY OF LETTER DATED 16.12.2013 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(m)	A TRUE COPY OF JOINT INSPECTION REPORT OF THE 4TH RESPONDENT, 5TH RESPONDENT AND 7TH RESPONDENT
Exhibit R5(n)	A TRUE COPY OF LETTER DATED 23.04.2014 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(o)	A TRUE COPY OF LETTER DATED 10.05.2014 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(p)	A TRUE COPY OF LETTER DATED 05.08.2014 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(q)	A TRUE COPY OF LETTER DATED 16.01.2015 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(r)	A TRUE COPY OF LETTER DATED 04.04.2015 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(ff)	A TRUE COPY OF LETTER DATED 28.11.2014 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(s)	A TRUE COPY OF LETTER DATED 31.10.2015 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(t)	A TRUE COPY OF LETTER DATED 04.11.2015 ISSUED BY THE



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5TH RESPONDENT

Exhibit R5(u)	A TRUE COPY OF LETTER DATED 10.12.2015 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(v)	A TRUE COPY OF LETTER DATED 02.06.2016 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(w)	A TRUE COPY OF LETTER DATED 08.06.2016 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(x)	A TRUE COPY OF LETTER DATED 08.06.2016 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(y)	A TRUE COPY OF LETTER DATED 11.06.2016 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(z)	A TRUE COPY OF LETTER DATED 15.06.2016 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(aa)	A TRUE COPY OF LETTER DATED 25.08.2016 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(bb)	A TRUE COPY OF LETTER DATED 08.11.2016 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(cc)	A TRUE COPY OF LETTER DATED 14.03.2017 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(dd)	A TRUE COPY OF LETTER DATED 05.09.2014 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(ee)	A TRUE COPY OF LETTER DATED 12.09.2014 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(gg)	A TRUE COPY OF LETTER DATED 08.12.2014 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(hh)	A TRUE COPY OF LETTER DATED 10.12.2014 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(ii)	A TRUE COPY OF LETTER DATED 07.06.2013 ISSUED BY THE 5TH RESPONDENT I
Exhibit R5(jj)	A TRUE COPY OF LETTER DATED 18.10.2017 ISSUED BY THE 5TH RESPONDENT
Exhibit R5(kk)	A TRUE COPY OF LETTER DATED 12.12.2017 ISSUED BY THE 5TH RESPONDENT



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Exhibit R5(l1)	A TRUE COPY OF THE CLIENT'S CERTIFICATION ON PERFORMANCE OF ARCHITECT
Exhibit R5(mm)	A TRUE COPY OF THE NEWS ARTICLE IN TIMES OF INDIA
EXHIBIT R7(a)	TRUE COPY OF THE AGREEMENT BETWEEN M/S AJIT ASSOCIATES PVT LTD. AND AWHO
EXHIBIT R7(b)	TRUE COPY OF THE LETTER DATED 26.05.2022 ISSUED BY RESPONDENT AWHO TO M/S AJIT ASSOCIATES.
EXHIBIT R7(c)	TRUE COPY OF THE LETTER DATED 08.02.2023 ISSUED BY RESPONDENT AWHO TO M/S AJIT ASSOCIATES.
EXHIBIT R7(d)	TRUE COPY OF LETTER DATED 29.02.2024 ISSUED BY THE 7TH RESPONDENT TO RESPONDENT BUREAU VERITAS INDIA PVT LTD.
EXHIBIT R7(e)	TRUE COPY OF LETTER DATED 11.11.2023 ISSUED BY THE 7TH RESPONDENT TO RESPONDENT AWHO.
EXHIBIT R7(f)	TRUE COPY OF THE LETTER DATED 17.07.2023 ALONG WITH LIST OF TEST REPORTS FURNISHED AS ANNEXURE-1 BEFORE THE OFFICER, COURT OF ENQUIRY.
EXHIBIT R7(g)	TRUE COPY OF LETTER DATED 07.02.2024 ISSUED BY THE 7TH RESPONDENT TO RESPONDENT AWHO.



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APPENDIX OF WP(C) 20298/2024

PETITIONER'S EXHIBITS

- Exhibit P1 THE TRUE COPY OF BUILDING PERMIT NO. BA.517/07-08 DATED 30/01/2009 ISSUED BY THE 25TH RESPONDENT SECRETARY TO THE 7TH RESPONDENT
- Exhibit P2 THE TRUE COPY OF THE ORDER DATED 25/03/2011 IN PROCEEDINGS NO. C1-1719/11/D.DIS OF THE 27TH RESPONDENT CHIEF TOWN PLANNER
- Exhibit P3 THE TRUE COPY OF THE LETTER NO. 1053/A2/11/KCZMA DATED 15/06/2011 ISSUED BY THE CHAIRMAN OF KCZMA TO THE 36TH RESPONDENT
- Exhibit P4 THE TRUE COPY OF LETTER NO. B/03029/SSI/ARC/400/CHN/AWHO DATED 16/08/2011 SUBMITTED BY THE 14TH RESPONDENT TO THE 25TH RESPONDENT SECRETARY ALONG WITH CHECK LIST IN APPENDIX-A
- Exhibit P5 THE TRUE COPY OF THE APPLICATION DATED 02/09/2011 SUBMITTED BY THE 7TH RESPONDENT TO THE 24TH RESPONDENT MUNICIPALITY IN RESPECT OF PERMISSION REQUIRED AS PER THE CRZ NOTIFICATION
- Exhibit P6 THE TRUE COPY OF THE SWORN DECLARATION DATED 22/09/2011 SUBMITTED BY THE 14TH AND 36TH RESPONDENT TO THE 24TH RESPONDENT MUNICIPALITY
- Exhibit P7 THE TRUE COPY OF THE BUILDING PERMIT NO. (6210) PW2. BA - 201/2010-2011 DATED 19/10/2011 ISSUED BY THE 25TH RESPONDENT SECRETARY TO THE 7TH RESPONDENT AWHO
- Exhibit P8 THE PHOTOGRAPH OF THE PROJECT SITE SHOWING THE THREE TOWERS BUILT BY THE 7TH RESPONDENT
- Exhibit P9 THE TRUE COPY OF THE RELEVANT EXTRACT OF THE RELEVANT PAGES OF THE MINUTES OF THE 81ST MEETING OF THE SEIAA HELD ON 08/03/2018
- Exhibit P10 THE TRUE COPY OF LETTER NO. PW2-BA-201/2010-11 DATED 09/01/2012 SUBMITTED BY THE 25TH RESPONDENT SECRETARY TO THE CHAIRMAN OF THE 29TH RESPONDENT KCZMA ALONG WITH TYPED COPY OF THE SAID LETTER
- Exhibit P11 THE TRUE COPY OF LETTER NO. 224/A2/12/S&TD DATED 21/02/2012 ISSUED BY THE UNDER SECRETARY TO THE



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W.P(C) No.40178/2023 & conn.cases :63:

GOVERNMENT SCIENCE & TECHNOLOGY DEPARTMENT, SASTHRA BHAVAN, PATTOM, THIRUVANANTHAPURAM ON BEHALF OF THE 29TH RESPONDENT KCZMA

Exhibit P12 THE TRUE COPY OF NOTICE NO. PW2. BA 201/10-11 DATED 13/03/2012 ISSUED BY THE 25TH RESPONDENT SECRETARY TO THE 14TH RESPONDENT AND ITS TYPED LEGIBLE COPY

Exhibit P13 THE TRUE COPY OF THE LETTER NO. 21-21/2011-IA.III DATED 04.04.2012 OF THE 2ND RESPONDENT MINISTRY GRANTING ENVIRONMENTAL CLEARANCE TO THE 7TH RESPONDENT

Exhibit P14 THE TRUE COPY OF THE TECHNICAL BROCHURE ISSUED BY THE RESPONDENTS 7 AND 36 IN JUNE, 2013 TO CANVASS BUYERS

Exhibit P15 THE TRUE COPY OF THE OCCUPANCY CERTIFICATE DATED 21/02/2018 ISSUED BY THE 25TH RESPONDENT SECRETARY TO THE 7TH RESPONDENT

Exhibit P16 THE TRUE COPY OF LETTER NO. AAACPL/LTR/PROJ-AWHO/16-17/379 DATED 14/03/2017 ISSUED BY THE 37TH RESPONDENT THROUGH THE 36TH RESPONDENT TO THE 14TH RESPONDENT

Exhibit P17 THE TRUE COPY OF LETTER NO. AAACPL/LTR/PROJ-AWHO/16-17/381 DATED 16/03/2017 ISSUED BY THE 36TH RESPONDENT TO THE 14TH RESPONDENT

Exhibit P18 THE TRUE COPY OF LETTER NO. AAACPL/LTR/PRO-AWHO/19-20/064 DATED 16/10/2019 ISSUED BY THE 36TH RESPONDENT TO THE DIRECTOR PLANNING OF THE 7TH RESPONDENT

Exhibit P19 THE TRUE COPY OF THE TOUR NOTES DATED 25/11/2019 PREPARED BY THE 7TH RESPONDENT

Exhibit P20 THE TRUE COPY OF THE LETTER DATED 12/12/2019 ISSUED BY THE 15TH RESPONDENT TO THE 25TH RESPONDENT

Exhibit P21 THE TRUE COPY OF THE LETTER DATED 22/07/2020 SUBMITTED BY BRIG. JOSEKUTTY KURIAN TO THE SHO, MARADU POLICE STATION WITH COPIES TO THE 7TH, 14TH, 15TH AND 24TH RESPONDENTS

Exhibit P22 THE TRUE COPY OF LETTER NO.149/VET/A DATED 22/07/2020 ISSUED BY THE STATION STAFF OFFICER, STATION HQ (ARMY), KOCHI, PURPORTEDLY ON BEHALF OF THE 7TH RESPONDENT, TO THE CIRCLE INSPECTOR, MARADU



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W.P(C) No.40178/2023 & conn.cases :64:

POLICE STATION

- Exhibit P23 THE TRUE COPY OF LETTER NO. 113/CATAOA/AWHO/SSI/ HTO DATED 14/08/2020 ISSUED BY THE 15TH RESPONDENT TO THE MANAGING DIRECTOR OF THE 7TH RESPONDENT
- Exhibit P24 THE TRUE COPY OF THE RELEVANT EXTRACT OF THE AREA STATEMENT INCLUDED IN THE APPROVED PLAN OF THE BUILDING PROJECT OF THE 7TH RESPONDENT
- Exhibit P25 THE TRUE COPY OF THE LETTER NO. PW2-BA-201/2010-2011 DATED 12/10/2011 ISSUED BY THE SECRETARY, TRIPUNITHURA MUNICIPALITY TO THE DIRECTOR (ARCH) OF THE 7TH RESPONDENT
- Exhibit P26 THE TRUE COPY OF LETTER NO. AAACPL\ LTR\PROJ-AWHO\ 22-23\104 DATED 17/02/2023 ISSUED BY THE FIRM OF THE 36TH RESPONDENT TO COL. SUBASH RAINA, DIRECTOR (CONTRACTS) OF THE 7TH RESPONDENT
- Exhibit P27 THE TRUE COPY OF THE REPORT ON VISUAL INSPECTION OF CHENDERKUNJU ARMY TOWER AT SILVER SAND ISLAND, COCHIN SUBMITTED ON 03/12/2020 BY M.A. COLLEGE OF ENGINEERING, KOTHAMANGALAM
- Exhibit P28 THE TRUE COPY OF THE RELEVANT EXTRACT OF THE REPORT TITLED AS 'INVESTIGATION OF DISTRESS IN BASEMENT FLOOR AND TERRACE LEVEL OVERHEAD TANKS OF ARMY WELFARE HOUSING ORGANISATION 'CHANDER KUNJ ARMY TOWERS' AT SILVER SAND ISLAND, VYTILLA, KOCHI, KERALA SUBMITTED ON 03/12/2020 BY THE 38TH RESPONDENT TO THE 7TH RESPONDENT
- Exhibit P29 THE TRUE COPY OF THE REVIEW ON EXHIBIT P28 REPORT OF THE 38TH RESPONDENT PREPARED BY RADHAKRISHNA G. PILLAI, ASSOCIATE PROFESSOR AND ELSON JOHN, PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, IIT MADRAS, CHENNAI
- Exhibit P30 THE TRUE COPY OF THE RELEVANT EXTRACT OF THE REPORT TITLED AS 'INVESTIGATION OF DISTRESS IN STILT FLOOR OF TOWER A,B,C & BASEMENT FLOOR OF TOWER B & C OF ARMY WELFARE HOUSING ORGANISATION 'CHANDER KUNJ ARMY TOWERS' AT SILVER SAND ISLAND, VYTILLA, KOCHI, KERALA SUBMITTED ON 15/05/2021 BY THE 38TH RESPONDENT TO THE 7TH RESPONDENT
- Exhibit P31 THE TRUE COPY OF THE RELEVANT EXTRACT OF THE REPORT DATED 31/03/2022 PREPARED BY GOVT. ENGINEERING COLLEGE, BARTON HILL, THIRUVANANTHAPURAM FOR THE 7TH



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W.P(C) No.40178/2023 & conn.cases :65:

RESPONDENT

- Exhibit P32 THE TRUE COPY OF THE REPORT DATED 05/11/2023 SUBMITTED BY PROF. RADHAKRISHNA G. PILLAI, BUILDING TECHNOLOGY AND CONSTRUCTION MANAGEMENT (BTCM) GROUP, DEPARTMENT OF CIVIL ENGINEERING, INDIAN INSTITUTE OF TECHNOLOGY MADRAS, CHENNAI - 600036
- Exhibit P33 THE PHOTOGRAPHS OF THE APARTMENT BUILDINGS WITH SAFETY NETS
- Exhibit P34 THE PHOTOGRAPHS OF THE APARTMENT BUILDINGS SHOWING THE FALL OF DEBRIS
- Exhibit P35 THE TRUE COPY OF THE COMPLAINT DATED 21/08/2023 SUBMITTED BY ONE OF THE ALLOTTEES OF THE APARTMENT COMPLEX, COL.CIBY GEORGE TO THE 25TH RESPONDENT SECRETARY
- Exhibit P36 THE TRUE COPY OF THE COMPLAINT DATED 28/10/2023 SUBMITTED BY ONE OF THE ALLOTTEES OF THE APARTMENT COMPLEX, COL.CIBY GEORGE TO THE 22ND RESPONDENT DISTRICT COLLECTOR
- Exhibit P37 THE TRUE COPY OF LETTER NO. B/03020/SSI KOCHI/WED/AWHO DATED 08/11/2023 ISSUED BY THE 7TH RESPONDENT, THROUGH ITS DEPUTY DIRECTOR (PLANNING) ON BEHALF OF THE MANAGING DIRECTOR TO THE DEPUTY COLLECTOR (DM), ERNAKULAM ATTACHED TO THE OFFICE OF THE 21ST RESPONDENT, DISTRICT DISASTER MANAGEMENT AUTHORITY
- Exhibit P38 THE TRUE COPY OF THE MINUTES OF THE HEARING CONDUCTED ON 10/11/2023 BY THE 23RD RESPONDENT
- Exhibit P39 THE TRUE COPY OF THE CHRONOLOGY OF EVENTS LEADING TO THE PRESENT SITUATION WAS PREPARED BY THE OFFICE OF THE 23RD RESPONDENT IN THE MEETING HELD ON 10/11/2023
- Exhibit P40 THE TRUE COPY OF LETTER NO. B/03020/SSI KOCHI/FRI/AWHO DATED 08/12/2023 ISSUED BY THE 7TH RESPONDENT, THROUGH ITS DEPUTY DIRECTOR (PLANNING) ON BEHALF OF THE MANAGING DIRECTOR TO THE 23RD RESPONDENT
- Exhibit P41 THE TRUE COPY OF LETTER NO. B/03001/AWHO/577 DATED 14/12/2023 ISSUED BY THE 7TH RESPONDENT, THROUGH THE SECRETARY OF THE MANAGING DIRECTOR TO THE 23RD RESPONDENT



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W.P(C) No.40178/2023 & conn.cases :66:

- Exhibit P42 THE TRUE COPY OF LETTER NO. DCEKM/11240/2023/D.4 DATED 18/12/2023 ISSUED BY THE 23RD RESPONDENT ON BEHALF OF THE 22ND RESPONDENT TO THE EXECUTIVE ENGINEER, PWD BUILDING DIVISION, ERNAKULAM AND OTHERS
- Exhibit P43 THE TRUE COPY OF LETTER NO. B/03020/SSI KOCHI/TUE/AWHO DATED 19/12/2023 ISSUED BY THE 7TH RESPONDENT, THROUGH ITS DEPUTY MANAGING DIRECTOR ON BEHALF OF THE MANAGING DIRECTOR TO THE 23RD RESPONDENT
- Exhibit P44 THE TRUE COPY OF LETTER NO. DESIGN/EKM/INS DATED 21/12/2023 ISSUED BY THE JOINT DIRECTOR, PWD REGIONAL DESIGN OFFICE, ERNAKULAM TO THE 22ND RESPONDENT DISTRICT COLLECTOR
- Exhibit P45 THE TRUE COPY OF THE VISUAL INSPECTION REPORT ON THE CHANDER KUNJ ARMY TOWERS AT SILVER SAND ISLAND, VYTILLA DATED 21/12/2023 (WRONGLY SHOWN AS 21/12/2022) SUBMITTED BY THE JOINT DIRECTOR, PWD REGIONAL DESIGN OFFICE, ERNAKULAM ALONG WITH EXHIBIT P44 LETTER TO THE 22ND RESPONDENT, DISTRICT COLLECTOR
- Exhibit P46 THE TRUE COPY OF LETTER NO. B/03020/SSI KOCHI/WED/AWHO DATED 27/12/2023 ISSUED BY THE 7TH RESPONDENT, THROUGH ITS DEPUTY MANAGING DIRECTOR ON BEHALF OF THE MANAGING DIRECTOR TO PROF V.KAMAKOTTI, DIRECTOR, INDIAN INSTITUTE OF TECHNOLOGY MADRAS (IIT MADRAS)
- Exhibit P47 THE TRUE COPY OF LETTER DATED 25/01/2024 SUBMITTED BY ONE OF THE ALLOTTEES, SAJI THOMAS TO THE 25TH RESPONDENT
- Exhibit P48 THE TRUE COPY OF THE TECHNICAL REPORT DATED 29/01/2024 SUBMITTED BY THE ASSISTANT EXECUTIVE ENGINEER, LSGD, TRIPUNITHARA MUNICIPALITY TO THE 22ND RESPONDENT AS THE CHAIRMAN OF THE DDMA
- Exhibit P49 THE TRUE COPY OF LETTER NO. EEBL-DV0EKM/695/2023-D4-PWD DATED 25/02/2024 SUBMITTED BY THE EXECUTIVE ENGINEER, PWD, BUILDINGS DIVISION, ERNAKULAM TO THE 22ND RESPONDENT
- Exhibit P50 THE TRUE COPY OF THE LETTER NO. EEBL-DV0EKM/695/2023-D4-PWD DATED 05/03/2024 SUBMITTED BY EXECUTIVE ENGINEER, PWD, BUILDINGS



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W.P(C) No.40178/2023 & conn.cases :67:

DIVISION, ERNAKULAM TO THE 22ND RESPONDENT

- Exhibit P51 THE TRUE COPY OF THE COMBINED INSPECTION REPORT SUBMITTED BY EXECUTIVE ENGINEER, PWD, BUILDINGS DIVISION, ERNAKULAM ALONG WITH EXHIBIT P50 LETTER TO THE 22ND RESPONDENT
- Exhibit P52 THE TRUE COPY OF THE LETTER NO.DCEKM/ 11240/2023-D4 DATED 06/03/2024 ISSUED BY THE 22ND RESPONDENT TO THE MEMBER SECRETARY OF THE 20TH RESPONDENT KSDMA
- Exhibit P53 THE TRUE COPY OF ORDER DATED 29/03/2024 IN PROCEEDINGS NO. DCEKM/11240/2023-D3 OF THE 22ND RESPONDENT DISTRICT COLLECTOR
- Exhibit P54 THE TRUE COPY OF THE RELEVANT EXTRACT OF PART 0 OF THE NATIONAL BUILDING CODE, 2005
- Exhibit P55 THE TRUE COPY OF THE RELEVANT EXTRACT OF PART 2 OF THE NATIONAL BUILDING CODE, 2005
- Exhibit P56 THE TRUE COPY OF THE RELEVANT EXTRACT OF CPWD MAINTENANCE MANUAL, 2019 ISSUED BY THE CENTRAL PUBLIC WORKS DEPARTMENT BY WAY OF OFFICE MEMORANDUM NO. DG/MAN/MISC/29 DATED 31/07/2019
- Exhibit P57 THE TRUE COPY OF THE RELEVANT EXTRACT OF PART 7 OF THE NATIONAL BUILDING CODE, 2005
- Exhibit P57(a) THE TRUE COPY OF THE RELEVANT EXTRACT OF PART 0 OF THE NATIONAL BUILDING CODE, 2016, VOLUME 1
- Exhibit P57(b) THE TRUE COPY OF THE RELEVANT EXTRACT OF PART 2 OF THE NATIONAL BUILDING CODE, 2016, VOLUME 1
- Exhibit P58 THE TRUE COPY OF ORDER DATED 09/04/2024 IN W.P.C.NO.40178/2023 OF THIS HON'BLE COURT
- Exhibit P59 THE TRUE COPY OF THE REPORT DATED 17/05/2024 FILED BY THE 7TH RESPONDENT IN W.P.C.NO.40178/2023 BEFORE THIS HON'BLE COURT
- Exhibit P60 THE TRUE COPY OF THE LETTER NO. B/03001/50/AWHO/577 DATED 17/05/2024 ISSUED BY THE 7TH RESPONDENT, THROUGH THE SECRETARY TO THE MANAGING DIRECTOR, TO THE 15TH RESPONDENT
- Exhibit P61 THE TRUE COPY OF THE RELEVANT EXTRACT OF PART 7 OF THE NATIONAL BUILDING CODE, 2016, VOLUME 1



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W.P(C) No.40178/2023 & conn.cases :68:

- Exhibit P62 THE TRUE COPY OF THE NOTICE NO.
ANO/DXA/172647/AR/KOCHI (SSI)/2016 DATED 27/05/2024
ISSUED BY THE 7TH RESPONDENT, THROUGH ITS DIRECTOR
(PLANNING) ON BEHALF OF THE MANAGING DIRECTOR TO THE
PETITIONER
- Exhibit P63 THE TRUE COPY OF LETTER NO.B/030029/
SSI/RWA/THU/CHN/AWHO DATED 22/10/2020 ISSUED BY THE
7TH RESPONDENT THROUGH ITS PROJECT DIRECTOR, 14TH
RESPONDENT HEREIN TO THE PRESIDENT OF THE 15TH
RESPONDENT ASSOCIATION
- Exhibit P64 THE TRUE COPY OF THE LETTER NO. B/03020/SSI/THU/AWHO
DATED 22/03/2018 ISSUED BY THE 7TH RESPONDENT
THROUGH THE DIRECTOR (PLANNING) FOR THE MANAGING
DIRECTOR TO ONE COL.C.M.UNNITHAN
- Exhibit P65 THE TRUE COPY OF THE COMPLAINT DATED 01/06/2024
SUBMITTED BY THE PETITIONER TO THE 26TH RESPONDENT,
WITHOUT THE DOCUMENTS ACCOMPANYING IT
- Exhibit P66 THE TRUE COPY OF THE COMPLAINT DATED 01/06/2024
SUBMITTED BY THE PETITIONER TO THE 25TH RESPONDENT,
WITHOUT THE DOCUMENTS ACCOMPANYING IT
- Exhibit P67 THE TRUE COPY OF THE COMPLAINT DATED 01/06/2024
SUBMITTED BY THE PETITIONER TO THE 32ND RESPONDENT,
WITHOUT THE DOCUMENTS ACCOMPANYING IT
- Exhibit P68 . THE TRUE COPY OF THE COMPLAINT DATED 01/06/2024
SUBMITTED BY THE PETITIONER TO THE 29TH RESPONDENT,
WITHOUT THE DOCUMENTS ACCOMPANYING IT
- Exhibit P69 THE TRUE COPY OF LETTER NO. B/03020/SSI
KOCHI/FRI/AWHO DATED 16/02/2024 ISSUED BY THE DEPUTY
DIRECTOR (PLANNING) ON BEHALF OF THE MANAGING
DIRECTOR OF THE 7TH RESPONDENT TO ONE N.JANIKRAM,
BUILDING & INFRASTRUCTURE MANAGER OF THE 38TH
RESPONDENT
- Exhibit P70 THE TRUE COPY OF THE SO-CALLED CERTIFICATION OF
EFFICIENCY AND HIGH PERFORMANCE GRANTED BY THE 38TH
RESPONDENT TO THE 35TH RESPONDENT
- Exhibit P71 THE TRUE COPY OF THE RELEVANT EXTRACT OF NATIONAL
DISASTER MANAGEMENT GUIDELINES ON SEISMIC
RETROFITTING OF DEFICIENT BUILDINGS AND STRUCTURES
PUBLISHED IN JUNE, 2014



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W.P(C) No.40178/2023 & conn.cases :69:

- Exhibit P72 THE TRUE COPY OF THE CONVENING ORDER NO. STN CDR SECTT/GEN/COI DATED 10/04/2023 CONSTITUTING THE COURT OF INQUIRY ISSUED BY THE STATION COMMANDER, STATION HEADQUARTERS (ARMY), KOCHI
- Exhibit P73 THE TRUE COPY OF THE NOTICE NO. SHQ/STAFF C OF I/2023 DATED 01/06/2023 BY THE PRESIDING OFFICER OF THE COURT OF INQUIRY TO THE 7TH RESPONDENT AND PUBLISHED IN THE NOTICE BOARD OF THE 15TH RESPONDENT
- Exhibit P74 THE TRUE COPY OF THE RELEVANT EXTRACT OF THE 28TH MEETING OF THE KCZMA.
- Exhibit P75 THE TRUE COPY OF THE RELEVANT EXTRACT OF THE 31ST MEETING OF THE KCZMA.
- Exhibit P76 THE TRUE COPY OF THE CIRCULAR NO.55353/R.A1/2013/LSGD DATED 09/09/2013 ISSUED BY THE GOVERNMENT OF KERALA.
- Exhibit P77 THE TRUE COPY OF THE CIRCULAR NO.1779/A2/2013/SC.TECH DEPT DATED 16/11/2013 ISSUED BY THE GOVERNMENT OF KERALA.
- Exhibit P78 THE TRUE COPY OF THE JUDGMENT DATED 30/10/2012 IN WPC NO.24040 OF 2012 OF THIS HONOURABLE COURT.
- Exhibit P79 THE TRUE COPY OF THE ORDER DATED 15/10/2024 IN WP(CRL) NO.1097/2024 OF THIS HONOURABLE COURT.
- Exhibit P80 THE TRUE COPY OF THE LETTER NO. LSGD/JD/EKM/8310/2024-D5 DATED 15/10/2024 ISSUED BY THE JOINT DIRECTOR, DEPARTMENT OF LOCAL SELF GOVERNMENT TO THE 25TH RESPONDENT
- Exhibit P81 THE TRUE COPY OF THE PROCEEDINGS OF ERNAKULAM I SUB-DISTRICT ADALATH OF LSGDI DEPARTMENT WITH DOCKET NO. BPEKM10194000003 SEEN DATED 25/09/2024
- Exhibit P82 A TRUE COPY OF THE INVESTIGATION REPORT DATED 17/07/2024 OF THE VIGILANCE CELL OF THE OFFICE OF THE CHIEF TOWN PLANNER (VIGILANCE) OBTAINED UNDER THE RTI ACT
- Exhibit P83 THE TRUE COPY OF THE PURPORTED STRUCTURAL STABILITY CERTIFICATE DATED 11/08/2011 ISSUED BY PROF. DR. P. K. ARAVINDAN, RTD. PROFESSOR IN STRUCTURAL ENGINEERING, IIT MADRAS.
- Exhibit P84 THE TRUE COPY COMPLETION CERTIFICATE DATED



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W.P(C) No.40178/2023 & conn.cases :70:

10/05/2017 SUBMITTED BY 13TH RESPONDENT IN APPENDIX E BEFORE THE 25TH RESPONDENT.

Exhibit P85 THE TRUE COPY OF COMPLETION CERTIFICATE DATED 10/05/2017 SUBMITTED BY THE 36TH RESPONDENT IN APPENDIX F BEFORE THE 25TH RESPONDENT.

EXHIBIT R86 THE TRUE COPY OF THE EXTRACT OF THE 88 MEETING OF THE KERALA COASTAL ZONE MANAGEMENT AUTHORITY DATED 21/08/2017 CONTAINING THE AGENDA ITEM NO0.88.04.14 ALONG WITH THE CRZ SITE INSPECTION REPORT ON THE CONSTRUCTION OF RESIDENTIAL FLAT BY M/S SHOBHA LTD AT NADMA VILLAGE

EXHIBIT R87 THE TRUE COPY OF THE EXTRACT OF THE 92 MEETING OF THE KERALA COASTAL ZONE MANAGEMENT AUTHORITY DATED 16/02/2018 CONTAINING THE AGENDA ITEM NO0.92.03.01

RESPONDENTS'
EXHIBITS

EXHIBIT R7(a) TRUE COPY OF THE AGREEMENT BETWEEN M/S AJIT ASSOCIATES PVT LTD. AND AWHO

EXHIBIT R7(b) TRUE COPY OF THE LETTER DATED 26.05.2022 ISSUED BY RESPONDENT AWHO TO M/S AJIT ASSOCIATES.

EXHIBIT R7(c) TRUE COPY OF THE LETTER DATED 08.02.2023 ISSUED BY RESPONDENT AWHO TO M/S AJIT ASSOCIATES.

EXHIBIT R7(d) TRUE COPY OF LETTER DATED 29.02.2024 ISSUED BY THE 7TH RESPONDENT TO RESPONDENT BUREAU VERITAS INDIA PVT LTD.

EXHIBIT R7(e) TRUE COPY OF LETTER DATED 11.11.2023 ISSUED BY THE 7TH RESPONDENT TO RESPONDENT AWHO.

EXHIBIT R7(f) TRUE COPY OF THE LETTER DATED 17.07.2023 ALONG WITH LIST OF TEST REPORTS FURNISHED AS ANNEXURE-1 BEFORE THE OFFICER, COURT OF ENQUIRY.

EXHIBIT R7(g) TRUE COPY OF LETTER DATED 07.02.2024 ISSUED BY THE 7TH RESPONDENT TO RESPONDENT AWHO.



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W.P(C) No.40178/2023 & conn.cases :71:

APPENDIX OF WP(C) 21253/2024

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE SALE DEED NO. 2040/1/2018 DATED 13-09-2018
- Exhibit P2 TRUE COPY OF THE REPORT OF MAR ATHANASIOUS COLLEGE OF ENGINEERING DATED 15-09-2020
- Exhibit P3 TRUE COPY OF THE REPORT OF TEAM COMPRISING OF IIT-M FACULTY MADRAS DATED 14-12-2020
- Exhibit P4 TRUE COPY OF THE CHAPTER TITLED 'RECOMMENDATIONS AND CONCLUSIONS' OF THE REPORT SUBMITTED BY GOVERNMENT ENGINEERING COLLEGE, THIRUVANANTHAPURAM DATED 31.3.2022
- Exhibit P5 TRUE COPY OF THE RELEVANT PAGES OF REPORT ON STRUCTURAL STABILITY ASSESSMENT OF EXISTING CHANDERKUNJ ARMY RESIDENTIAL TOWER, SILVER SAND ISLAND, VYTILA, BY BUREAU VERITAS INDIA LTD., DATED APRIL, 2023
- Exhibit P6 TRUE COPY OF THE RELEVANT PAGES OF REPORT OF EXPERT FROM DEPARTMENT OF CIVIL ENGINEERING, IIT MADRAS DATED 05.11.2023
- Exhibit P7 TRUE COPY OF THE PETITION SUBMITTED BEFORE THE 5TH RESPONDENT UNDER DISASTER MANAGEMENT ACT BY COL. CIBY DATED 28.10.2023
- Exhibit P8 TRUE COPY OF THE INSPECTION REPORT NO.EEBL-DVOEKM/695/2023-D4-PWD BY THE 7TH RESPONDENT DATED 05-03-2024
- Exhibit P9 TRUE COPY OF THE ORDER NO.DCEKM/11240/2023-D4 OF THE 5TH RESPONDENT DATED 29-03-2024
- Exhibit P10 TRUE COPY OF THE NOTICE SENT BY 3RD RESPONDENT DATED 27.05.2024
- Exhibit P11 TRUE COPY OF THE WORK MEMO NO. WP(C) 21253/2024 /1A SENT TO INDIAN INSTITUTE OF SCIENCE (IISC) BANGALORE DATED 26/6/2024 BY THE PETITIONER
- Exhibit P10(a) TRUE COPY OF THE WORK MEMO NO. WPC 21253/28/6/2024 SENT TO INDIAN INSTITUTE OF SCIENCE (IISC) BANGALORE DATED 26.06.2024 BY THE PETITIONER
- Exhibit P11 True Copy of the compilation of 38 comparable flats



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W.P(C) No.40178/2023 & conn.cases :72:

within a radius of 10 kms available for sale

- Exhibit P12 True copy of the Price list of SFS Haveli Homes in Vennala, dated nil (located within a range of 5 KM from Chanderkunj Army Tower)
- Exhibit P12(a) True copy of the Price list of Price list of Shobha Atlantis dated nil (located within a range of 5 KM from Chanderkunj Army Tower)
- Exhibit P12(b) True copy of the Price list of Noel Sentrum dated nil (located within a range of 5 KM from Chanderkunj Army Tower)
- Exhibit P13 TRUE COPY OF A RENTAL AGREEMENT DATED 23.5.2024 ENTERED INTO BY AN OWNER OF THE CHANDERKUNJ ARMY TOWER ITSELF
- Exhibit P14 TRUE COPY OF THE PLINTH AREA RATES 2023 PUBLISHED BY CPWD DATED 1.8.2023
- Exhibit P15 TRUE COPY OF THE COST INDEX OF THE PLINTH AREA RATE AS ON 1.10. 2023 PUBLISHED BY CPWD DATED 20.3.2024
- Exhibit P16 A ROUGH ESTIMATE OF THE CALCULATION OF THE COST OF CONSTRUCTION ACCORDING TO CPWD RATES



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W.P(C) No.40178/2023 & conn.cases :73:

APPENDIX OF WP(C) 22536/2024

PETITIONER EXHIBITS

- Exhibit P1 A TRUE COPY OF THE REGULATIONS OF THE 2ND RESPONDENT
ARMY WELFARE HOUSING ORGANISATION
- Exhibit P2 A TRUE COPY OF THE SALE DEED NO. 1213/2018 OF SUB
REGISTRAR'S OFFICE, DATED 17-05-2018 OF TRIPUNITHURA
- Exhibit P3 A TRUE COPY OF THE REPORT DATED 15-09-2020 PREPARED
BY THE 14TH RESPONDENT
- Exhibit P4 A TRUE RELEVANT EXTRACT OF THE REPORT DATED 03-12-
2020 SUBMITTED BY THE 12TH RESPONDENT BVIL LIMITED
- Exhibit P5 A TRUE COPY OF THE REPORT DATED 14-12-2020 PREPARED
IN THE JOINT INSPECTION CONDUCTED BY IIT MADRAS AND
MA COLLEGE
- Exhibit P6 A TRUE COPY OF THE REPORT DATED 05-02-2021 SUBMITTED
BY THE RESPONDENTS 13 & 14 JOINTLY
- Exhibit P7 A TRUE COPY OF THE REPORT DATED 23-07-2021 FORWARDED
BY THE 13TH RESPONDENT
- Exhibit P8 A TRUE COPY OF THE REPORT DATED 26-09-2021 PROVIDED
BY THE 13TH RESPONDENT
- Exhibit P9 A TRUE COPY OF THE REPORT DATED 05-11-2023 SUBMITTED
BY THE 13TH RESPONDENT
- Exhibit P10 A TRUE COPY OF THE LETTER DATED 22-02-2021 FORWARDED
BY THE PETITIONER AND OTHERS TO THE 5TH RESPONDENT
- Exhibit P11 EXTRACTS OF THE INSPECTION DATED 03-07-2021 FORWARDED
IN THE OWNERS' WHATSPP GROUP
- Exhibit P12 A TRUE COPY OF THE FEEDBACK REPORT DATED 23-03-2022
FORWARDED BY THE PRESIDENT OF THE APARTMENT OWNERS
ASSOCIATION TO THE 2ND RESPONDENT AND OTHERS
- Exhibit P13 A TRUE COPY OF THE E-MAIL DATED 25-02-2023 FORWARDED
BY THE PETITIONER TO THE 5RD RESPONDENT AND COPY TO
2ND RESPONDENT
- Exhibit P14 A TRUE COPY OF THE FIR DATED 6-6-2023 IN CRIME NO.
1022/2023 OF MARADU POLICE STATION



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W.P(C) No.40178/2023 & conn.cases :74:

Exhibit P15 A TRUE COPY OF THE MAHAZAR DATED 09-03-2024 IN CRIME
NO. 1022/2023 OF MARADU POLICE STATION

Exhibit P16 A TRUE COPY OF THE CONVENING ORDER OF THE COURT OF
ENQUIRY DATED 10-04-2023

Exhibit P17 A TRUE COPY OF THE E-MAIL DATED 09-10-2023 FORWARDED
BY THE PETITIONER AND OTHERS TO THE 5TH RESPONDENT

Exhibit P18 A TRUE COPY OF THE REPORT DATED 21-12-2023 SUBMITTED
BY THE JOINT DIRECTOR (18TH RESPONDENT), PWD REGIONAL
DESIGN OFFICER, ERNAKULAM

Exhibit P19 A TRUE COPY OF THE REPORT DATED 21-12-2023 SUBMITTED
BY THE 15TH RESPONDENT TO THE 19TH RESPONDENT

Exhibit P20 A TRUE COPY OF THE REPORT DATED 29-01-2024 SUBMITTED
BY THE 17TH RESPONDENT TO THE 19TH RESPONDENT

Exhibit P21 A TRUE COPY OF THE REPORT DATED 05-03-2024 SUBMITTED
BY THE 18TH RESPONDENT EXECUTIVE ENGINEER, PWD,
BUILDING DIVISION TO THE 19TH RESPONDENT DISTRICT
COLLECTOR

Exhibit P22 A TRUE COPY OF THE NEWS REPORT DATED 09-02-2024
PUBLISHED IN THE TIMES OF INDIA DAILY

Exhibit P23 A TRUE COPY OF THE NEWS REPORT 09-02-2024 PUBLISHED
IN THE KERALA KOUMUDI DAILY

Exhibit P24 A TRUE COPY OF THE ORDER DATED 29-03-2024 PASSED BY
THE 19TH RESPONDENT - DISTRICT COLLECTOR, ERNAKULAM

Exhibit P25 A TRUE COPY OF THE LETTER DATED 17-02-2023 FORWARDED
BY THE 11TH RESPONDENT AJIT ASSOCIATES TO THE 4TH
RESPONDENT DIRECTOR (CONTRACTS)

Exhibit P26 A TRUE COPY OF THE E-MAIL DATED 17-03-2024 BY THE 9TH
RESPONDENT TO THE 2ND RESPONDENT

Exhibit P27 TRUE COPY OF THE REPRESENTATION DATED 15-04-2024
FORWARDED BY THE PETITIONER TO THE 3RD RESPONDENT AND
OTHERS IN THE 2ND RESPONDENT SOCIETY

Exhibit P28 TRUE COPY OF THE REPRESENTATION DATED 15-05-2024
FORWARDED BY THE PETITIONER TO THE 1ST RESPONDENT



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W.P(C) No.40178/2023 & conn.cases :75:

APPENDIX OF WP(C) 24221/2024

PETITIONERS' EXHIBITS

Exhibit -P1	TRUE COPY OF THE ORDER ISSUED BY THE DISTRICT COLLECTOR DATED 29.03.2024 NO.DCEKM/11240/2023-D4
Exhibit-P2	TRUE COPY OF THE REPORT OF THE EXPERT COMMITTEE DATED 05.03.2024
Exhibit-P3	TRUE COPY OF THE REPORT SUBMITTED BY THE 1ST RESPONDENT BEFORE THIS HON'BLE COURT IN WP. (C) NO.40178/2023 DATED 17.05.2024
Exhibit-P4	TRUE COPY OF THE OBJECTION SUBMITTED BY THE PETITIONER AGAINST THE REPORT IN WP. (C) NO.40178/2023 DATED 06.06.2024
Exhibit-P5	TRUE COPY OF THE COMMUNICATION ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER DATED 22.03.2018 NO.B/03020/ SSI/THU/AWHO
Exhibit-P6	TRUE COPY OF THE INTERIM ORDER IN WP. (C) NO.40178/2023 DATED 19.06.2024
Exhibit-P7	TRUE COPY OF THE COMMUNICATION GIVEN BY ONE OF THE RESIDENT INTIMATING MOVING OUT OF THE PREMISES DATED 24.06.2024
Exhibit-P8	TRUE COPY OF THE COMMUNICATION GIVEN BY ONE OF THE RESIDENT INTIMATING MOVING OUT OF THE PREMISES DATED 24.06.2024
Exhibit-P9	TRUE COPY OF THE RECEIPT OF TRANSPORTATION EXPENSES DATED 22.06.2024 INVOICE NO.0502
Exhibit-P9(a)	TRUE COPY OF THE RECEIPT OF TRANSPORTATION EXPENSES DATED 22.06.2024 INVOICE NO.0508
Exhibit-P10	TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 1ST PETITIONER TO THE BOARD OF GOVERNORS DATED 23.04.2024 NO.113/CATAOA/AWHO/SSI/TUE/HTO
Exhibit-P11	TRUE COPY OF THE COMMUNICATION ISSUED BY THE 1ST RESPONDENT DATED 21.06.2024
Exhibit-P12	TRUE COPY OF THE WORK MEMO SUBMITTED BY THE PETITIONERS TO THE INDIAN INSTITUTE OF SCIENCE DATED 24.06.2024 NO.113/CATAOA/AWHO/SSI/MON/HTO



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :76:

ANNEXURE-A1 DETAILS OF THE OCCUPANCY STATUS OF TOWER B

ANNEXURE-A2 DETAILS OF THE OCCUPANCY STATUS OF TOWER C

RESPONDENTS' EXHIBITS

Exhibit R5A THE TRUE COPY OF SALE DEED NO. 971/2018 OF
TRIPUNITHURA ON 25/04/2018.

Exhibit R5B THE TRUE COPY OF THE SWORN DECLARATION DATED
22/09/2011 SUBMITTED BY THE 2ND RESPONDENT AND THE
REGISTERED ARCHITECT TO THRIPIUNITHURA MUNICIPALITY.

Exhibit R5C THE TRUE COPY OF THE NOTICE DATED 13/03/2012 ISSUED
BY THE SECRETARY OF THE MUNICIPALITY TO THE 2ND
RESPONDENT.

Exhibit R5D THE TRUE COPY OF THE EMAIL DATED 03/07/2024.



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :77:

APPENDIX OF WP(C) 28289/2024

PETITIONER'S EXHIBITS

- Exhibit P1 A TRUE COPY OF THE REGULATIONS OF THE 1ST RESPONDENT
ARMY WELFARE HOUSING ORGANISATION
- Exhibit P2 A TRUE COPY OF THE SALE DEEDNO.1938/1/18 OF SUB
REGISTRAR'S OFFICE, DATED 31-08-2018 OF TRIPUNITHURA
- Exhibit P3 A TRUE COPY OF THE REPORT DATED 15-09-2020 PREPARED BY
THE 9TH RESPONDENT
- Exhibit P4 A TRUE RELEVANT EXTRACT OF THE REPORT DATED
03-12-2020 SUBMITTED BY THE 7TH RESPONDENT BVIL
LIMITED
- Exhibit P5 A TRUE COPY OF THE REPORT DATED 14-12-2020 PREPARED IN
THE JOINT INSPECTION CONDUCTED BY IIT MADRAS AND MA
COLLEGE
- Exhibit P6 A TRUE COPY OF THE REPORT DATED 05-02-2021 SUBMITTED
ON BEHALF OF 8TH RESPONDENT
- Exhibit P7 A TRUE COPY OF THE REPORT DATED 23-07-2021 FORWARDED
BY THE 8TH RESPONDENT
- Exhibit P8 A TRUE COPY OF THE REPORT DATED 26-09-2021 PROVIDED BY
THE 8TH RESPONDENT
- Exhibit P9 A TRUE COPY OF THE REPORT DATED 05-11-2023 SUBMITTED
BY THE 8TH RESPONDENT
- Exhibit P10 A TRUE COPY OF THE LETTER DATED 22-02-2021 FORWARDED
BY THE PETITIONER AND OTHERS
- Exhibit P11 EXTRACTS OF THE INSPECTION DATED 03-07-2021 FORWARDED
IN THE OWNERS' WHATSAPP GROUP
- Exhibit P12 A TRUE COPY OF THE FEEDBACK REPORT DATED
23-03-2022 FORWARDED BY THE PRESIDENT OF THE APARTMENT
OWNERS ASSOCIATION TO THE 1ST RESPONDENT AND OTHERS
- Exhibit P13 A TRUE COPY OF THE LETTER DATED 05-08-2022 FORWARDED
BY THE PETITIONER TO THE 4TH RESPONDENT AND COPY TO
1ST RESPONDENT
- Exhibit P14 A TRUE COPY OF THE CONVENING ORDER OF THE COURT OF
ENQUIRY DATED 10-04-2023



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :78:

Exhibit P15 A TRUE COPY OF THE COMPLAINT FORWARDED THOUGH E-MAIL DATED 09-10-2023 FORWARDED BY THE PETITIONER AND OTHERS TO CHIEF OF ARMY STAFF

Exhibit P16 A TRUE COPY OF THE REPORT DATED 21-12-2023 SUBMITTED BY THE JOINT DIRECTOR (13TH RESPONDENT), PWD REGIONAL DESIGN OFFICER, ERNAKULAM TO THE 14TH RESPONDENT

Exhibit P17 A TRUE COPY OF THE JOINT INSPECTION REPORT DATED 21-12-2023 SUBMITTED BY THE 10TH RESPONDENT ALONG WITH YANDEX TO THE 14TH RESPONDENT

Exhibit P18 A TRUE COPY OF THE REPORT DATED 29-01-2024 SUBMITTED BY THE 11TH RESPONDENT TO THE 14TH RESPONDENT

Exhibit P19 A TRUE COPY OF THE REPORT DATED 05-03-2024 SUBMITTED BY THE 18TH RESPONDENT EXECUTIVE ENGINEER, PWD, BUILDING DIVISION TO THE 19TH RESPONDENT DISTRICT COLLECTOR

Exhibit P20 A TRUE COPY OF THE NEWS REPORT DATED 09-02-2024 PUBLISHED IN THE TIMES OF INDIA DAILY

Exhibit P21 A TRUE COPY OF THE NEWS REPORT 09-02-2024 PUBLISHED IN THE KERALA KOUMUDI DAILY

Exhibit P22 A TRUE COPY OF THE ORDER DATED 29-03-2024 PASSED BY THE 14TH RESPONDENT - DISTRICT COLLECTOR, ERNAKULAM

Exhibit P23 A TRUE COPY OF THE LETTER DATED 17-02-2023 FORWARDED BY THE 6TH RESPONDENT AJIT ASSOCIATES TO THE 3RD RESPONDENT DIRECTOR (CONTRACTS)

Exhibit P24 A TRUE COPY OF THE E-MAIL DATED 17-03-2024 BY THE RWA TO THE 1ST RESPONDENT

Exhibit P25 A TRUE COPY OF THE REPRESENTATION DATED 08-07-2024 FORWARDED BY THE PETITIONER TO THE 3RD RESPONDENT AND OTHERS IN THE 1ST RESPONDENT SOCIETY

RESPONDENTS' EXHIBITS

EXHIBIT R7(a) TRUE COPY OF THE AGREEMENT BETWEEN M/S AJIT ASSOCIATES PVT LTD. AND AWHO

EXHIBIT R7(b) TRUE COPY OF THE LETTER DATED 26.05.2022 ISSUED BY RESPONDENT AWHO TO M/S AJIT ASSOCIATES.

EXHIBIT R7(c) TRUE COPY OF THE LETTER DATED 08.02.2023 ISSUED BY RESPONDENT AWHO TO M/S AJIT ASSOCIATES.



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W.P(C) No.40178/2023 & conn.cases :79:

EXHIBIT R7(d)	TRUE COPY OF LETTER DATED 29.02.2024 ISSUED BY THE 7TH RESPONDENT TO RESPONDENT BUREAU VERITAS INDIA PVT LTD.
EXHIBIT R7(e)	TRUE COPY OF LETTER DATED 11.11.2023 ISSUED BY THE 7TH RESPONDENT TO RESPONDENT AWHO.
EXHIBIT R7(f)	TRUE COPY OF THE LETTER DATED 17.07.2023 ALONG WITH LIST OF TEST REPORTS FURNISHED AS ANNEXURE-1 BEFORE THE OFFICER, COURT OF ENQUIRY.
EXHIBIT R7(g)	TRUE COPY OF LETTER DATED 07.02.2024 ISSUED BY THE 7TH RESPONDENT TO RESPONDENT AWHO.



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :80:

APPENDIX OF WP(C) 29703/2024

PETITIONER'S EXHIBITS

- Exhibit P1 A TRUE COPY OF THE POWER OF ATTORNEY DATED
06-07-2024 EXECUTED BY THE PETITIONER
- Exhibit P2 A TRUE COPY OF THE REGULATIONS OF THE 2ND RESPONDENT
ARMY WELFARE HOUSING ORGANISATION
- Exhibit P3 A TRUE COPY OF THE SALE DEED NO. 1048/2018 OF SUB
REGISTRAR'S OFFICE TRIPPUNITHURA DATED 02-05-2018
- Exhibit P4 A TRUE COPY OF THE REPORT DATED 15-09-2020 PREPARED BY
THE 14TH RESPONDENT
- Exhibit P5 A TRUE RELEVANT EXTRACT OF THE REPORT DATED
03-12-2020 SUBMITTED BY THE 12TH RESPONDENT BVIL
LIMITED
- Exhibit P6 A TRUE COPY OF THE REPORT DATED 14-12-2020 PREPARED IN
THE JOINT INSPECTION CONDUCTED BY IIT MADRAS AND MA
COLLEGE
- Exhibit P7 A TRUE COPY OF THE REPORT DATED 05-02-2021 SUBMITTED BY
THE RESPONDENTS 13 & 14 JOINTLY
- Exhibit P8 A TRUE COPY OF THE REPORT DATED 23-07-2021 FORWARDED BY
THE 13TH RESPONDENT
- Exhibit P9 A TRUE COPY OF THE REPORT DATED 26-09-2021 PROVIDED BY
THE 13TH RESPONDENT
- Exhibit P10 A TRUE COPY OF THE REPORT DATED 05-11-2023 SUBMITTED BY
THE 13TH RESPONDENT
- Exhibit P11 A TRUE COPY OF THE LETTER DATED 22-02-2021 FORWARDED BY
THE PETITIONER AND OTHERS TO THE 5TH RESPONDENT
- Exhibit P12 EXTRACTS OF THE INSPECTION DATED 03-07-2021 FORWARDED
IN THE OWNERS' WHATSPP GROUP
- Exhibit P13 A TRUE COPY OF THE FEEDBACK REPORT DATED
23-03-2022 FORWARDED BY THE PRESIDENT OF THE APARTMENT
OWNERS ASSOCIATION TO THE 2ND RESPONDENT AND OTHERS
- Exhibit P14 A TRUE COPY OF THE E-MAIL DATED 25-02-2023 FORWARDED BY
ANOTHER APARTMENT OWNER TO THE 5RD RESPONDENT AND COPY
TO 2ND RESPONDENT



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :81:

Exhibit P15 A TRUE COPY OF THE FIR DATED 6-6-2023 IN CRIME NO.
1022/2023 OF MARADU POLICE STATION

Exhibit P16 A TRUE COPY OF THE MAHAZAR DATED 09-03-2024 IN CRIME
NO. 1022/2023 OF MARADU POLICE STATION

Exhibit P17 A TRUE COPY OF THE CONVENING ORDER OF THE COURT OF
ENQUIRY DATED 10-04-2023

Exhibit P18 A TRUE COPY OF THE E-MAIL DATED 09-10-2023 FORWARDED BY
15 APARTMENT OWNERS TO THE 5TH RESPONDENT

Exhibit P19 A TRUE COPY OF THE REPORT DATED 21-12-2023 SUBMITTED BY
THE JOINT DIRECTOR (18TH RESPONDENT), PWD REGIONAL
DESIGN OFFICER, ERNAKULAM

Exhibit P20 A TRUE COPY OF THE REPORT DATED 21-12-2023 SUBMITTED BY
THE 15TH RESPONDENT TO THE 19TH RESPONDENT

Exhibit P21 A TRUE COPY OF THE REPORT DATED 29-01-2024 SUBMITTED BY
THE 17TH RESPONDENT TO THE 19TH RESPONDENT

Exhibit P22 A TRUE COPY OF THE REPORT DATED 05-03-2024 SUBMITTED BY
THE 18TH RESPONDENT EXECUTIVE ENGINEER, PWD, BUILDING
DIVISION TO THE 19TH RESPONDENT DISTRICT COLLECTOR

Exhibit P23 A TRUE COPY OF THE NEWS REPORT DATED 09-02-2024
PUBLISHED IN THE TIMES OF INDIA DAILY

Exhibit P24 A TRUE COPY OF THE NEWS REPORT 09-02-2024 PUBLISHED IN
THE KERALA KOUMUDI DAILY

Exhibit P25 A TRUE COPY OF THE ORDER DATED 29-03-2024 PASSED BY THE
19TH RESPONDENT - DISTRICT COLLECTOR, ERNAKULAM

Exhibit P26 A TRUE COPY OF THE LETTER DATED 17-02-2023 FORWARDED BY
THE 11TH RESPONDENT AJIT ASSOCIATES TO THE 4TH
RESPONDENT DIRECTOR (CONTRACTS)

Exhibit P27 A TRUE COPY OF THE E-MAIL DATED 17-03-2024 BY THE 9TH
RESPONDENT TO THE 2ND RESPONDENT

Exhibit P28 A TRUE COPY OF THE REPRESENTATION DATED
10-07-2024 FORWARDED BY THE PETITIONER TO THE 1ST
RESPONDENT AND OTHERS

RESPONDENTS '
EXHIBITS



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W.P(C) No.40178/2023 & conn.cases :82:

- EXHIBIT R7(a) TRUE COPY OF THE AGREEMENT BETWEEN M/S AJIT ASSOCIATES PVT LTD. AND AWHO
- EXHIBIT R7(b) TRUE COPY OF THE LETTER DATED 26.05.2022 ISSUED BY RESPONDENT AWHO TO M/S AJIT ASSOCIATES.
- EXHIBIT R7(c) TRUE COPY OF THE LETTER DATED 08.02.2023 ISSUED BY RESPONDENT AWHO TO M/S AJIT ASSOCIATES.
- EXHIBIT R7(d) TRUE COPY OF LETTER DATED 29.02.2024 ISSUED BY THE 7TH RESPONDENT TO RESPONDENT BUREAU VERITAS INDIA PVT LTD.
- EXHIBIT R7(e) TRUE COPY OF LETTER DATED 11.11.2023 ISSUED BY THE 7TH RESPONDENT TO RESPONDENT AWHO.
- EXHIBIT R7(f) TRUE COPY OF THE LETTER DATED 17.07.2023 ALONG WITH LIST OF TEST REPORTS FURNISHED AS ANNEXURE-1 BEFORE THE OFFICER, COURT OF ENQUIRY.
- EXHIBIT R7(g) TRUE COPY OF LETTER DATED 07.02.2024 ISSUED BY THE 7TH RESPONDENT TO RESPONDENT AWHO.



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :83:

APPENDIX OF WP(C) 35585/2024

PETITIONERS' EXHIBITS

- Exhibit P1 A TRUE COPY OF THE REGULATIONS OF THE 2ND RESPONDENT
ARMY WELFARE HOUSING ORGANISATION
- Exhibit P2 A TRUE COPY OF THE SALE DEED NO. 1343/I/2022, DATED
01-06-2022 OF SUB REGISTRAR'S OFFICE, TRIPUNITHURA
- Exhibit P3 A TRUE COPY OF THE REPORT DATED 05-11-2023 SUBMITTED
BY THE IIT MADRAS
- Exhibit P4 A TRUE COPY OF THE REPORT DATED 21-12-2023 SUBMITTED
BY THE JOINT DIRECTOR (10TH RESPONDENT), PWD REGIONAL
DESIGN OFFICER, ERNAKULAM
- Exhibit P5 A TRUE COPY OF THE REPORT DATED 21-12-2023 SUBMITTED
BY THE 7TH RESPONDENT TO THE 11TH RESPONDENT
- Exhibit P6 A TRUE COPY OF THE REPORT DATED 29-01-2024 SUBMITTED
BY THE 9TH RESPONDENT TO THE 11TH RESPONDENT
- Exhibit P7 A TRUE COPY OF THE REPORT DATED 05-03-2024 SUBMITTED
BY THE 10TH RESPONDENT EXECUTIVE ENGINEER, PWD,
BUILDING DIVISION TO THE 11TH RESPONDENT DISTRICT
COLLECTOR
- Exhibit P8 A TRUE COPY OF THE NEWS REPORT DATED 09-02-2024
PUBLISHED IN THE TIMES OF INDIA DAILY
- Exhibit P9 A TRUE COPY OF THE NEWS REPORT 09-02-2024 PUBLISHED IN
THE KERALA KOUMUDI DAILY
- Exhibit P10 A TRUE COPY OF THE ORDER DATED 29-03-2024 PASSED BY
THE 11TH RESPONDENT - DISTRICT COLLECTOR, ERNAKULAM
- Exhibit P11 A TRUE COPY OF THE E-MAIL DATED 17-03-2024 BY THE 6TH
RESPONDENT TO THE 2ND RESPONDENT
- Exhibit P12 A TRUE COPY OF THE REPRESENTATION DATED
22-02-2024 FORWARDED BY THE 1ST PETITIONER TO THE 2ND
RESPONDENT
- Exhibit P13 A TRUE COPY OF THE RECEIPT DATED 26-02-2024
ACKNOWLEDGING RECEIPT OF THE REPRESENTATION



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W.P(C) No.40178/2023 & conn.cases :84:

APPENDIX OF WP(C) 40178/2023

PETITIONER'S EXHIBITS

- | | |
|--------------|--|
| Exhibit P-1 | TRUE COPY OF BUILDING TAX RECEIPT DATED 08.8.2023
ISSUED BY TRIPUNITHURA MUNICIPALITY. |
| Exhibit P-2 | TRUE COPY OF THE REPORT DATED 15.9.2023 SUBMITTED BY
MACE KOTHAMANGALAM. |
| Exhibit P-3 | TRUE COPY OF THE REPORT DATED 14.12.2020 SUBMITTED BY
IITM, CHENNAI. |
| Exhibit P-4 | TRUE COPY OF EXTRACT OF THE CHAPTER TITLED
'CONCLUSION AND RECOMMENDATION' OF THE REPORT DATED
31.3.2022, SUBMITTED BY GOVERNMENT ENGINEERING
COLLEGE, THIRUVANANTHAPURAM |
| Exhibit P-5 | TRUE COPY OF NEWS ARTICLE OF INDIAN EXPRESS DATED
10.1.2023 |
| Exhibit P-6 | TRUE COPY OF NEWS ARTICLE OF TIMES OF INDIA DATED
03.7.2023 |
| Exhibit P-7 | TRUE COPY OF NEWS ARTICLE OF TIMES OF INDIA DATED
08.11.2023 |
| Exhibit P-8 | TRUE COPY OF CONVENING ORDER OF COURT OF INQUIRY
DATED 10.4.2023 |
| Exhibit P-9 | TRUE COPY OF FIR NO.620 OF 2022 OF SHO MARADU |
| Exhibit P-10 | TRUE COPY OF THE FIR NO. 1022 OF 2023 OF SHO MARADU |
| Exhibit P-11 | TRUE COPY OF COMPLAINT DATED 21.8.2023 SUBMITTED BY
THE PETITIONER TO TRIPUNITHURA MUNICIPALITY |
| Exhibit P-12 | TRUE COPY OF THE COMPLAINT DATED 17.10.2023 SUBMITTED
BY THE PETITIONER TO TRIPUNITHURA MUNICIPALITY |
| Exhibit P-13 | TRUE COPY OF COMPLAINT DATED 28.10.2023 SUBMITTED BY
THE PETITIONER TO THE DISTRICT COLLECTOR |
| Exhibit P-14 | TRUE COPY OF THE IITM REPORT-4 DATED 05.11.2023 |
| Exhibit P-15 | TRUE COPY OF NOTICE NO.DCEKM/11240/2023-D.4 DATED
03.11.2023 ISSUED BY DEPUTY COLLECTOR (DM) |



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W.P(C) No.40178/2023 & conn.cases :85:

Exhibit P-16 TRUE COPIES OF IMAGES OF THE DEFECTS OBSERVED BY THE
TECHNICAL TEAM

Exhibit P-17 TRUE COPY OF PHOTOGRAPHS SHOWING THE SAFETY NET

RESPONDENTS' EXHIBITS

Exhibit R5(a) TRUE COPY OF THE RELEVANT PAGES OF THE REPORT
PREPARED BY BVIL DATED 03.12.2020.

Exhibit R5(b) TRUE COPY OF THE REVISED REPORT OF BVIL DATED
15.05.2021

Exhibit R5(c) TRUE COPY OF THE COMMUNICATION DATED 26.05.2021 FROM
THE RWA

Exhibit R5(d) TRUE COPY OF THE RELEVANT PAGES OF THE REPORT OF
GOVT. ENGINEERING COLLEGE

Exhibit R5(e) TRUE COPY OF THE REPORT OF BVIL DATED 21.10.2022

Exhibit R5(f) TRUE COPY OF THE LETTER DATED 01.08.2023 FROM THE
PETITIONER

Exhibit R5(g) TRUE COPY OF THE REPORT DATED 30.04.2023 OF BVIL
REGARDING TOWER A AND CLUB HOUSE

Exhibit R5(h) RELEVANT PAGES OF THE REPORT OF BVIL REGARDING TOWER
‘B' DATED 15.05.2023

Exhibit R5(i) RELEVANT PAGES OF THE REPORT OF THE BVIL REGARDING
TOWER ‘C' DATED 30.04.2023

Exhibit R5(j) TRUE COPY OF THE REQUEST SUBMITTED TO THE POLICE ON
18.08.2023

Exhibit R5(k) TRUE COPY OF THE COMMUNICATION ISSUED TO THE RWA ON
31.08.2023

Exhibit R5(l) TRUE COPY OF THE REPLY FROM RWA

Exhibit R5(m) TRUE COPY OF THE 'CRIMINAL COMPLAINT AND LEGAL
NOTICE' SENT BY THE PETITIONER

Exhibit R5(n) TRUE COPY OF THE COMMUNICATION FROM BVIL DATED
21.09.2023

Exhibit R5(o) TRUE COPY OF COMMUNICATION DATED 22.09.2023 ISSUED BY
BVIL



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :86:

Exhibit R5(p)	TRUE COPY OF THE LETTER DATED 14.12.2023 FROM THE 5TH RESPONDENT TO THE 1ST RESPONDENT
Exhibit R5(q)	TRUE COPY OF THE LETTER DATED 19.12.2023 FROM THE 5TH RESPONDENT TO THE 1ST RESPONDENT
Exhibit R5(r)	TRUE COPY OF THE LETTER DATED 27.07.2021 ISSUED BY THE RWA
Exhibit R5(s)	EMAIL COMMUNICATION DATED 05.12.2023 FROM THE RWA
Exhibit R5(t)	TRUE COPY OF THE E MAIL COMMUNICATIONS PROVIDED BY RWA
Exhibit R5(u)	TRUE COPY OF THE INVOICE DATED 02.11.2023
Exhibit R5(v)	TRUE COPY OF THE PRINTOUT FROM THE WEBPAGE OF STRUFOCON ENGINEERS PVT. LTD.
Exhibit R5(w)	TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE DISTRICT CONSUMER DISPUTES REDERESSAL FORUM, ERNAKULAM
Exhibit R5(x)	TRUE COPY OF THE VERSION FILED BY THE 5TH RESPONDENT BEFORE THE CDRF
Exhibit R5(y)	TRUE COPY OF THE COMPLAINT IN CC 81 OF 2021
Exhibit R5(z)	TRUE COPY OF THE IA FILED BY THIS RESPONDENT IN CC 81 OF 2021

PETITIONER'S EXHIBITS

Exhibit P-18	TRUE COPY OF CONVENING ORDER DATED 10.4.2023 ISSUED BY STATION HEADQUARTERS (ARMY) KOCHI.
Exhibit P-19	TRUE COPY OF LETTER DATED 14.3.2017 FROM AJIT ASSOCIATES ADDRESSED TO THE PROJECT DIRECTOR
Exhibit P-20	TRUE COPY OF LETTER DATED 17.2.2023 FROM AJIT ASSOCIATES ADDRESSED TO COL SUBASH RAINA
Exhibit P-21	TRUE COPY OF E-MAIL LETTER DATED 20.1.2024 FROM THE PETITIONER TO 5TH RESPONDENT
Exhibit P-22	TRUE COPY OF COMPLAINT DATED 07.12.2023 FROM



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :87:

PETITIONER, ADDRESSED TO PRESIDENT BOARD OF GOVERNORS
AWHO

- Exhibit P-23 TRUE COPY OF COMPLAINT DATED 18.12.2023 SUBMITTED BY
SOME OF THE OWNERS ADDRESSED TO DISTRICT COLLECTOR
AND CHAIRMAN DDMA WITH COPY TO PRESIDENT BOARD OF
GOVERNORS AWHO
- Exhibit P-24 TRUE COPY OF ANOTHER COMPLAINT DATED 15.1.2024
SUBMITTED BY SOME OWNERS ADDRESSED TO DISTRICT
COLLECTOR AND CHAIRMAN DDMA WITH COPY TO PRESIDENT
BOARD OF GOVERNORS AWHO
- Exhibit P-25 TRUE COPY OF THE RELEVANT PAGES OF THE BVIL REPORT
DATED APRIL 2023
- Exhibit P-26 TRUE COPY OF E-MAIL LETTER DATED 12.12.2020 SUBMITTED
BY THE PETITIONER TO PRESIDENT RWA
- Exhibit P-27 TRUE COPY OF COMPLAINT DATED 04.1.2021 SUBMITTED BY
PRESIDENT CHANDERKUNJ ARMY TOWERS APARTMENT OWNERS
ASSOCIATION (CATOA) TO PROF KOTNALA, CHAIRMAN NABL
- Exhibit P-28 True copy of e-mail dated 09.10.2020 sent by
President CATOA addressed to MD AWHO
- Exhibit P-29 TRUE COPY OF THE TECHNICAL APPRECIATION REPORT
PREPARED BY THE CHIEF ENGINEER
- Exhibit P-30 TRUE COPIES OF PHOTOGRAPHS OF LIFE-THREATENING
INCIDENTS OCCURRED IN THE PAST FEW WEEKS
- Exhibit P-31 TRUE COPY OF GRIEVANCE LETTER DATED 23.8.2023 FROM
MAJOR PRINCE JOSE (RETD) ADDRESSED TO THE SECRETARY,
TRIPUNITHURA MUNICIPALITY
- Exhibit P-32 TRUE COPY OF MY E-MAIL LETTER DATED 19.1.2024 SENT BY
PETITIONER ADDRESSED TO 5TH RESPONDENT
- Exhibit P-33 TRUE COPY OF E-MAIL DATED 23.11.2023 FROM RWA
ADDRESSED TO THE OWNERS WITH COPY OF 'LETTER TO
BOARD OF GOVERNORS'
- Exhibit P-34 TRUE COPY OF HEARING NOTE BEARING NO.DCEKM-11240/23-
D4 SIGNED BY THE DEPUTY COLLECTOR (DM)
- Exhibit P-35 TRUE COPY OF THE TECHNICAL REPORT DATED 29.1.2024
PREPARED BY ASSISTANT EXECUTIVE ENGINEER,



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :88:

TRIPUNITHURA MUNICIPALITY

Exhibit P-36 TRUE COPY OF THE TECHNICAL REPORT DATED 21.12.2023
SUBMITTED BY JOINT DIRECTOR (EXECUTIVE ENGINEER), PWD
REGIONAL DESIGN OFFICE TO THE DISTRICT COLLECTOR

Exhibit P-37 TRUE COPY OF THE TECHNICAL REPORT DATED 21.12.2023
SUBMITTED BY ASSISTANT EXECUTIVE ENGINEER, GCDA TO
THE DEPUTY COLLECTOR (DISASTER MANAGEMENT) BY E-MAIL
TO DDMAEKM@GMAIL.COM

RESPONDENTS' EXHIBITS

Exhibit R5(aa) TRUE COPY OF LETTER DATED 27.12.2023 ISSUED BY THE
AWHO TO THE DIRECTOR, IIT MADRAS

Exhibit R5(ab) A TRUE COPY OF THE REMINDER SENT TO THE DIRECTOR, IIT
MADRAS ON 6.02.2024 SEEKING RESPONSE

PETITIONER'S EXHIBITS

Exhibit P-38 TRUE COPY OF NOTICE NO.DCEKM-11240/23-D4 DATED
27.2.2024 ISSUED BY THE COLLECTORATE ERNAKULAM

Exhibit P-39 TRUE COPY OF THE COMBINED REPORT DATED 05.3.2024,
SUBMITTED BY THE EXECUTIVE ENGINEER, PWD BUILDING
DIVISION, TO THE DISTRICT COLLECTOR

RESPONDENTS' EXHIBITS

Exhibit R6(a) A TRUE COPY OF THE MINUTES OF THE GENERAL BODY
MEETING DATED 28.05.2023 OF THE ADDITIONAL 6TH
RESPONDENT

Exhibit R6(b) A TRUE COPY OF THE MINUTES OF THE GENERAL BODY
MEETING DATED 05.11.2023 OF THE ADDITIONAL 6TH
RESPONDENT

Exhibit R6(c) A TRUE COPY OF THE MINUTES OF THE GENERAL BODY
MEETING DATED 18.02.2024 OF THE ADDITIONAL 6TH
RESPONDENT

Exhibit R6(d) A TRUE COPY OF THE EMAIL DATED 21.07.2023

Exhibit R6(e) A TRUE COPY OF THE RELEVANT PAGE OF THE REPORT OF
BVIPL

Exhibit R6(f) A TRUE COPY OF THE INTERIM ORDER DATED 07.06.2023 IN
CRLM.C NO.4305 OF 2023



2025:KER:8278

W.P(C) No.40178/2023 & conn.cases :89:

- Exhibit R6(g) A TRUE COPY OF THE EMAIL COMMUNICATIONS BETWEEN LT.COL. ANIL RAJ AND RADHAKRISHNA G. PILLAI AND MURALI MENON OF IIT MADRAS ON 02.11.2023 AND 04.11.2023
- Exhibit R6(h) A TRUE COPY OF THE ORIGINAL TAX INVOICE DATED 02.11.2023 ISSUED BY THE IIT MADRAS
- Exhibit R6(i) A TRUE COPY OF THE EMAIL COMMUNICATION DATED 28.07.2021 ISSUED BY THE PRESIDENT OF THE ADDITIONAL 6TH RESPONDENT ASSOCIATION TO RADHAKRISHNA G.PILLAI
- Exhibit R6(j) A TRUE COPY OF THE VISITOR IN AND OUT REGISTER DATED 24.09.2023 AND 03.10.2023
- Exhibit R6(k) A true copy of the letter dated 18.07.2023 by the petitioner

PETITIONER'S EXHIBITS

- Exhibit P-40 TRUE COPY OF LETTER NO. DCEKM/11240/2023-D4 DATED 29.3.24 ISSUED BY DISTRICT COLLECTOR
- Exhibit P-41 TRUE COPY OF LETTER DATED 20.4.2024 ADDRESSED TO MD AWHO
- Exhibit P-42 TRUE COPY OF LETTER DATED 30.4.2024 ADDRESSED TO MD AWHO
- Exhibit P-43 TRUE COPY OF LETTER DATED 24.4.2024 ADDRESSED TO DISTRICT COLLECTOR
- Exhibit P-44 TRUE COPY OF LETTER DATED 11.5.2024 ADDRESSED TO DISTRICT COLLECTOR
- Exhibit P-45 TRUE COPY OF LETTER DATED 13.4.2024 ADDRESSED TO SECRETARY, TRIPUNITHURA MUNICIPALITY
- Exhibit P-46 TRUE COPY OF LETTER DATED 06.5.2024 ADDRESSED TO SECRETARY, TRIPUNITHURA MUNICIPALITY
- Exhibit P-47 TRUE COPY OF THE AGREEMENT DATED 02.08.2018 BETWEEN 5TH RESPONDENT AND AJIT ASSOCIATES.
- Exhibit P-48 TRUE COPY OF KERALA STATE ELECTRICITY BOARD LETTER NO.DB- 34/ESD-TPRA/EROOR-LCN 3/8448/21-22/71 DATED 22.6.2021



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Exhibit P-49 TRUE COPY OF CERTIFICATE DATED 25.3.2018 ISSUED BY
ALEX THOMAS, CHARTERED ENGINEER AND APPROVED VALUER

Exhibit P-50 TRUE COPY OF E-MAIL LETTER DATED 27.4.2023 ADDRESSED
TO 5TH RESPONDENT

Exhibit P-51 TRUE COPY OF E-MAIL LETTER DATED 07.5.2023 ADDRESSED
TO 5TH RESPONDENT

Exhibit P-52 TRUE COPY OF E-MAIL LETTER DATED 08.5.2023 ADDRESSED
TO ADM ASHOKAN REPRESENTING 6TH RESPONDENT

Exhibit P-53 TRUE COPY OF E-MAIL LETTER DATED 02.7.2023 BY ANIL
RAJ ADDRESSED TO 6TH RESPONDENT

Exhibit P-54 TRUE COPY OF E-MAIL LETTER DATED 02.7.2023 BY MOSES
MOTHA ADDRESSED TO 6TH RESPONDENT

Exhibit P-55 TRUE COPY OF THE REGISTRATION CERTIFICATE ISSUED BY
REGISTRAR OF SOCIETIES, HAVING REGISTRATION NUMBER
EKM/TC/86/2024 DATED 21.2.2024

RESPONDENTS' EXHIBITS

Exhibit R6(1) A TRUE COPY OF THE REPRESENTATION DATED 23.04.2024
SUBMITTED BY THE 6TH RESPONDENT TO THE 5TH
RESPONDENT.

Annexure A1 TRUE COPY OF THE NOTICE ISSUED BY THE PETITIONER TO
THE ADDITIONAL 6TH RESPONDENT

PETITIONER'S EXHIBITS

Exhibit P-56 TRUE COPY OF APPLICATION DATED 07.5.2024 SUBMITTED TO
2ND RESPONDENT.

Exhibit P-57 TRUE COPY OF LETTER DATED 03.6.2024 ISSUED BY 2ND
RESPONDENT.

Exhibit P-58 TRUE COPY OF REPORT OBTAINED ON 18.6.2024 REGARDING
THE INCIDENTS OF THE SAID EARTHQUAKES, OBTAINED FROM
THE WEBSITE OF NATIONAL CENTRE FOR SEISMOLOGY,
GOVERNMENT OF INDIA.

Exhibit P-59 TRUE COPY OF THE TIMES OF INDIA NEWSPAPER ARTICLE
DATED 17.6.2024 REPORTING THE INCIDENTS OF
EARTHQUAKES.

Exhibit P-60 TRUE COPY OF THE WORK MEMO DATED 25.6.2024 SUBMITTED



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TO INDIAN INSTITUTE OF SCIENCE

RESPONDENTS' EXHIBITS

Exhibit -R6(m) TRUE COPY OF THE WORK MEMO DATED 24.06.2024 SUBMITTED BY THE APPLICANT BEFORE THE INDIAN INSTITUTE OF SCIENCE NO.113/CATAOA/AWHO/SSI/ /HTO

Exhibit R5 (AA) A TRUE COPY OF THE LETTER OFFERING CONSULTING/TEST/RESEARCH SERVICES ALONG WITH TOTAL PROJECT FEE ISSUED BY THE CENTRE FOR SCIENTIFIC AND INDUSTRIAL CONSULTANCY, IISC, BENGALURU DATED 01.07.2024

Exhibit R5 (AB) A TRUE COPY OF THE CHALLAN DATED 03.07.2024

PETITIONER'S EXHIBITS

Exhibit P-61 TRUE COPY OF LETTER DATED 26.7.2024 BY E-MAIL ADDRESSED TO 5TH RESPONDENT.

Exhibit P-62 TRUE COPY OF LETTER DATED 30.7.2024 ADDRESSED TO IIS.

Exhibit P-63 TRUE COPY OF THE RELEVANT PAGE (PAGE 130) OF BUREAU VERITAS REPORT OF APRIL 2023.

Exhibit P-64 TRUE COPY OF THE E-MAIL SENT BY PRESIDENT OF 6TH RESPONDENT ASSOCIATION TO THE MEMBERS AT 02.04 PM ON 29.11.2024.

Exhibit P-65 TRUE COPY OF THE LIST OF THE RESIDENT OWNERS CIRCULATED BY PRESIDENT OF 6TH RESPONDENT AMONG THE MEMBERS OF THE ASSOCIATION.

Exhibit P-66 TRUE COPY OF THE DOCTORS' PRESCRIPTION DATED 22.10.2024.

RESPONDENTS' ANNEXURES

Annexure 1 TRUE COPY OF THE RELEVANT PAGES OF SALE DEED SHOWING THE SUPER BUILT UP AREA OF 2252.28 SQUARE FEET IN SCHEDULE C PROPERTY, HAVING SALE DEED REGISTRATION NUMBER 1406/2018 HAVING E-STAMP SERIAL NUMBER ES00038030521421161E OF TRIPUNITHURA SRO.

Annexure 2 TRUE COPY OF PARTICULARS RECEIVED FROM THE REAL ESTATE AGENT OF NANMA ONE COCHIN DATED 27.11.2024.

Annexure 3 TRUE COPY OF PARTICULARS RECEIVED FROM THE REAL



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ESTATE AGENT OF MERIDIAN NEW CASTLE BY E- MAIL DATED
27.11.2024.

Annexure 4 TRUE COPY OF PARTICULARS RECEIVED FROM THE REAL
ESTATE AGENT OF VEEGA LAND KINGS FORT DATED
27.11.2024.

Annexure 5 TRUE COPY OF PARTICULARS RECEIVED FROM THE OWNER OF
ASSET RANGOLI APARTMENT BY E-MAIL DATED 27.11.2024.

Annexure A1 THE INFLATION INDEX NOTIFIED BY THE MINISTRY OF
FINANCE DATED 24.05.2024, AS PER S.O. 2103(E)
PROVIDING THE COST INFLATION INDEX FOR THE FINANCIAL
YEAR 2024-25, ALONG WITH THE NOTIFIED INFLATION INDEX
FROM THE FINANCIAL YEAR 2001-02 TO 2023-24