



2025:KER:55812

WP(C) NO. 24828 OF 2023

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR

&

THE HONOURABLE MR.JUSTICE BASANT BALAJI

MONDAY, THE 28TH DAY OF JULY 2025 / 6TH SRAVANA, 1947

WP(C) NO. 24828 OF 2023

PETITIONER/S:

- 1 ARYADAN SHOUKETH
 AGED 57 YEARS
 SON OF ARYADAN MOHAMMED, ARAYADAN HOUSE, NILAMBUR
 P.O, MALAPPURAM DISTRICT, PIN - 679329

- 2 SUDHA VANIYAMPUZHA
 AGED 40 YEARS
 WIFE OF BABU VANIYAMBUZHA COLONY, MUNDERI,
 KURUMBILANGOD, MUNDERI, MALAPPURAM DISTRICT, PIN
 - 679334

BY ADVS.
SRI.PEEYUS A.KOTTAM
SHRI. HRITHWIK D. NAMBOOTHIRI
SHRI.RAGESH CHAND R.G.

RESPONDENT/S:

- 1 THE UNION OF INDIA
 REPRESENTED BY THE SECRETARY MINISTRY OF TRIBAL
 AFFAIRS, 216-J, 2ND FLOOR, D WING, SHASTRI
 BHAVAN, NEW DELHI, PIN - 110115



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- 2 **STATE OF KERALA**
 REPRESENTED BY CHIEF SECRETARY, SECRETARIAT,
 THIRUVANANTHAPURAM, PIN - 695001
- 3 **SECRETARY**
 MINISTRY OF WELFARE OF SCHEDULED TRIBES STATE
 SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
- 4 **DIRECTOR**
 SCHEDULED TRIBES DEVELOPMENT DEPARTMENT (STDD),
 4TH FLOOR, VIKAS BHAVAN, THIRUVANANTHAPURAM, PIN
 - 695033
- 5 **KERALA STATE COMMISSION FOR SCHEDULED CASTES AND**
 SCHEDULED TRIBES
 REPRESENTED BY ITS CHAIRMAN, AYYANKALI BHAVAN,
 KANAKA NAGAR, KOWDIAR PO, THIRUVANANTHAPURAM, PIN
 - 695003
- 6 **DISTRICT PROJECT OFFICER**
 INTEGRATED TRIBAL DEVELOPMENT PROJECTS (ITDP),
 ITDP OFFICE, NILAMBOOR, MALAPPURAM DISTRICT, PIN
 - 679329
- 7 **DIVISIONAL FOREST OFFICE (DFO), NILAMBUR NORTH**
 KOZHIKODE-NILMBUR-GUDALLUR ROAD, OPPOSITE POLICE
 STATION, MANALODY, NILAMBUR, PIN - 679329
- 8 **DIVISIONAL FOREST OFFICER (DFO), NILAMBUR SOUTH**
 KOZHIKODE-NILMBUR-GUDALLUR ROAD, OPPOSITE POLICE
 STATION, MANALODY, NILAMBUR, PIN - 679329
- 9 **ADDITIONAL CHIEF PRINCIPAL CONSERVATOR OF FOREST**
 FOREST, LAND AND RESOURCES, FOREST HEADQUARTERS,
 VAZHUTHACAD, THIRUVANANTHAPURAM, PIN - 695014
- 10 **DISTRICT COLLECTOR, MALAPPURAM**
 CONFERENCE HALL, COLLECTORATE ROAD, UP HILL,
 MALAPPURAM, KERALA, PIN - 676505



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- 11 SUB COLLECTOR, PERINTHALMANNA
REVENUE DIVISIONAL OFFICE, PERINTHALMANNA,
MALAPPURAM, PIN - 679322
- 12 TAHSILDAR, NILAMBOOR
NILAMBOOR TALUK OFFICE, KOZHIKODE-NILAMBUR-
GUDALLUR ROAD, NILAMBUR, KERALA, PIN - 679329
- 13 POTHUGAL GRAMA PANCHAYAT
UPPADA B.O. MALAPPURAM DISTRICT, KERALA STATE,
REPRESENTED BY ITS SECRETARY., PIN - 679334
- 14 VAZHIKADAVU GRAMA PANCHAYAT
VAZHIKKADAVU PANCHAYAT OFFICE, VAZHIKKADAVU,
MALAPPURAM DISTRICT, REPRESENTED BY ITS
SECRETARY, PIN - 679333
- 15 KARULAI GRAMA PANCHAYAT,
MALAPPURAM DISTRICT, KERALA, REPRESENTED BY ITS
SECRETARY., PIN - 679331
- 16 KERALA LEGAL SERVICE AUTHORITY (KELSA)
REPRESENTED BY ITS MEMBER SECRETARY AND HEAD OF
TRIBAL MONITORING COMMITTEE, OFFICE OF THE KERALA
STATE LEGAL SERVICES AUTHORITY, NIYAMA SAHAYA
BHAVAN, HIGH COURT COMPOUND, ERNAKULAM, KOCHI,
PIN - 682031

BY ADVS.
SMT.VANDANA P., CGC
GOVERNMENT PLEADER
SRI.D.AJITHKUMAR
SHRI.N.MANOJ KUMAR, STATE ATTORNEY
SHRI.K.R.RANJITH, GOVERNMENT PLEADER WITH STATE
ATTORNEY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 28.07.2025, THE COURT ON THE SAME DAY



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DELIVERED THE FOLLOWING:



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JUDGMENT

Dated this the 28th day of July 2025

NITIN JAMDAR, C.J.

Heard Mr. Peeyus A. Kottam, learned counsel appearing for the Petitioners and Mr. D. Ajithkumar, learned counsel appearing for Respondent No.16.

2. This Public Interest Petition is filed by two Petitioners in July 2023. The Petitioners seek to bring to the attention of this Court the plights faced by the tribal communities in Pothugal, Vazhikadav and Karulai Grama Panchayat in Nilambur Taluk. It is stated that this tribal communities have been suffering from lack of essential infrastructure and that the official machinery has failed to redress their grievances, more particularly, in constructing a bridge named Punchakolli across the Punnapuzha river. Alleging that there is lethargic attitude on the part of the Government which has only increased the suffering of the tribals, the Petitioners have sought directions to take steps in respect of the construction of the bridge and various other social welfare measures. Petitioner No.1 has described himself as a social worker and Petitioner No.2 is a resident of the area and a member of the local tribe.



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3. When the petition came up on board on 7 July 2025, we were informed that Petitioner No.1 is now elected in June 2025 as a member of the Legislative Assembly for the constituency comprising the area in question. Recording that it is now the Petitioner's newly assumed responsibility to serve the people in his constituency and we expect more pro-active role on the part of the Petitioner rather than solely depending on Court's directions or on Respondent authority, we had adjourned the petition to today.

4. When the petition was called out today, the learned counsel for the Petitioners submitted that Petitioner No.1 seeks to delete himself from array of parties. We are surprised by this course of action adopted by Petitioner No.1. Now that Petitioner No.1 has been elected as a Member of the Legislative Assembly for the area in question and that he is already aware of the problems faced by the people therein, he would now be in a better position to address the issues, which requires action by the Government agencies. Petitioner No.1 is now in a position to effectively take up the matter with the Government machinery in his newly assumed role, which requires him to take up the issue. Therefore, we are of the opinion that this task should be taken forward by Petitioner No.1 in his new capacity as the member of



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the Legislative Assembly representing the very people whose cause he has sought to espouse in this petition.

5. Therefore, expecting Petitioner No.1 to address and take up pro-active measures on the part of Petitioner No.1 in this regard which we are sure he will do, this Public Interest Litigation is disposed of.

Sd/-

**NITIN JAMDAR
CHIEF JUSTICE**

Sd/-

**BASANT BALAJI
JUDGE**

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APPENDIX OF WP(C) 24828/2023

PETITIONER EXHIBITS

Exhibit P1	THE PHOTOGRAPH SHOWING THE PRESENT LIVING CONDITIONS OF THIS IMPOVERISHED TRIBAL FAMILIES IN POTHUGAL GRAMA PANCHATAT, VAZHAKADAV GRAMA PANCHAYAT AND KARULAI GRAMA PANCHAYATH IN NILAMBUR TALUK
Exhibit P2	THE TRUE COPY OF THE REPORT PUBLISHED WITH PHOTOS IN THE MALAYALA MANORAMA DAILY NEWS PAPER DATED 26-07-2023
Exhibit P2(a)	TRUE ENGLISH TRANSLATION OF EXT-P2 REPORT
Exhibit P3	TRUE COPY OF THE REPORT PUBLISHED IN THE MALAYALA MANORAMA DAILY DATED 03.03.2023
Exhibit P3(a)	TRUE COPY OF ENGLISH TRANSLATION OF EXT-P3 REPORT
Exhibit P4	TRUE COPY OF THE REPORT PUBLISHED IN THE DAILY ENGLISH NEWSPAPER NAMELY INDIAN EXPRESS DATED 25.06.2023
Exhibit P5	THE TRUE COPY OF THE REPORT WITH PHOTOS PUBLISHED IN MALAYALA MANORAMA DAILY DATED 01.08.2020
Exhibit P5(a)	TRUE COPY OF ENGLISH TRANSLATION OF EXT-P5 REPORT
Exhibit P6	TRUE COPY OF THE REPORT PUBLISHED IN THE MALAYALA MANORAMA DAILY DATED 22.07.2020
Exhibit P6(a)	TRUE COPY OF ENGLISH TRANSLATION OF EXT-P6 REPORT
Exhibit P7	TRUE COPY OF THE REPORT WITH PHOTO PUBLISHED BY THE MALAYALA MANORAMA DAILY DATED 28.06.2020



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Exhibit P7(a)	TRUE COPY OF ENGLISH TRANSLATION OF EXT-P7 REPORT
Exhibit P8	THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS DATED 11.07.2023 BEFORE THE SUB COLLECTOR, PERINTHALMANNA
Exhibit P 8(a)	TRUE ENGLISH TRANSLATION OF EXT-P8 REPRESENTATION
Exhibit P9	THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS DATED 11.07.2023 BEFORE THE ITDP, MALAPPURAM DISTRICT PROJECT OFFICER
Exhibit P9(a)	TRUE ENGLISH TRANSLATION OF EXT-P9 REPRESENTATION
Exhibit P10	THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS DATED 11.07.2023 BEFORE THE D.F.O. NILAMBUR SOUTH
Exhibit P10(a)	TRUE ENGLISH TRANSLATION OF EXT-P10 REPRESENTATION
Exhibit P11	THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS DATED 11.07.2023 BEFORE THE D.F.O, NILAMBUR NORTH
Exhibit P11(a)	TRUE ENGLISH TRANSLATION OF EXT-P11 REPRESENTATION
Exhibit P12	THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS DATED 11.07.2023 BEFORE THE TAHSILDAR, NILAMBUR
Exhibit P12(a)	TRUE ENGLISH TRANSLATION OF EXT-P12 REPRESENTATION
Exhibit P13	THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS DATED 11.07.2023 BEFORE THE PRINCIPAL CHIEF FOREST CONSERVATOR & HEAD OF FOREST



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	FORCES
Exhibit P13(a)	TRUE ENGLISH TRANSLATION OF EXT-P13 REPRESENTATION
Exhibit P14	THE TRUE COPY OF THE QUERY SUBMITTED BY THE 1ST PETITIONER BEFORE THE ITDP PROJECT OFFICE, NILAMBUR DATED 07.06.2021
Exhibit P14(a)	TRUE ENGLISH TRANSLATION OF EXT-P14 QUERY
Exhibit P15	THE TRUE COPY OF THE DETAILS FURNISHED BY THE PUBLIC INFORMATION OFFICER, ITDP OFFICE, NILAMBUR DATED 02.07.2021
Exhibit P15(a)	TRUE ENGLISH TRANSLATION OF EXT-P15 DETAILS FURNISHED BY THE PUBLIC INFORMATION OFFICER
Exhibit P16	THE TRUE COPY OF THE REPORT PUBLISHED IN THE MALAYALA MANORAMA DAILY DATED 25.07.2023
Exhibit P16(a)	TRUE ENGLISH TRANSLATION OF EXT-P16 REPORT
Exhibit P17	TRUE COPY OF THE REPORT PUBLISHED IN MALAYALA MANORAMA DAILY DATED 19.04.2023
Exhibit- P17(a)	TRUE COPY OF ENGLISH TRANSLATION OF EXT-P17 REPORT
RESPONDENT ANNEXURES	
Annexure R6(a)	Copy of the photographs of some houses in the Vaniampuzha colony
Annexure R6(b)	Copy of the photographs of some houses in Tharippapotty colony
Annexure R6 (c)	True copy of the completion report dated 09.02.2024 by the Secretary Pothukal Grama Panchayath
Annexure R6 (d)	True copy of the letter No. 133/DB2/2024/PHD-MLPM dated 22.03.2024



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- of the Executive Engineer, Kerala Water Authority, Malappuram
- Annexure R6 (e) True copy of the letter No. D2/BR/SD/102508/2021 dated 23.03.2024 of Assistant Executive Engineer, PWD (Bridges) Manjeri
- Annexure R6 (f) True copy of the report dated 06.12.2023 regarding the technical assessment of the houses
- Annexure R6 (g) True copy of the Order No. C.3924/23 dated 23.02.2024 of the ITD Project Officer, Nilambur allotting the first instalment amount to the beneficiaries under the SAFE Scheme
- Annexure R6 (h) True copy of the list of beneficiaries who have been sanctioned amounts for post flood relief by Revenue Department
- Annexure R6 (i) True copy of the letter No. NBR/F-2/585 dated 11.12.2023 by the Manger, Nilambur Estate under the Plantation Corporation of Kerala Ltd.
- Annexure R6 (j) True copy of the Report No. A-1977/23 dated 11.12.2023 from the Range Forest Officer, Nilambur Range

PETITIONER EXHIBITS

- Exhibit P18 THE TRUE COPY OF THE NEWSPAPER REPORT PUBLISHED IN MALAYALA MANORAMA DAILY NEWSPAPER DATED 01/07/2024
- Exhibit P19 THE TRUE COPY OF THE NEWSPAPER REPORT PUBLISHED IN MADHYAMAM DAILY NEWSPAPER DATED 01/07/2024
- Exhibit P18(a) THE TRUE ENGLISH TRANSLATION OF EXT-P18
- Exhibit P19(a) THE TRUE ENGLISH TRANSLATION OF EXT-P19
- Exhibit P20 THE TRUE COPY OF THE REPORT WITH PHOTOS PUBLISHED IN KERALA KAUMUDI DATED



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10.11.2024

Exhibit P20(a)

THE TRUE ENGLISH TRANSLATION OF EXT-P20