



Government of Kerala

**Abstract**

Local Self Government Department – Judgment in W.P. (C) No.25745/2019 filed by Sri.Suresh Chatterji - Complied with - Orders issued.

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**LOCAL SELF GOVERNMENT (RD) DEPARTMENT**

G.O.(Rt)No.167 /2019/LSGD

*Dated, Thiruvananthapuram 18/12/19*

- Read:-*
1. Judgment in W.P.(C)No.25745/19 dated 8/11/19.
  2. The representation of Sri. Suresh Chatterji ( Expt.p4)
  3. Letter No.137/RD2/19/LSGD dated 29/11/2019

**ORDER**

The Hon'ble High Court of Kerala as per the Judgment read as 1<sup>st</sup> paper above, disposed of the W.P.(C)No.25745/19 filed by Sri.Suresh Chatterji, directing the petitioner to mark appearance in the Office of the to Additional Chief Secretary on 14/11/19 and the Additional Chief Secretary to hear the petitioner and to examine the Expt. P4 petition to take a final decision in terms of law. Additional Chief Secretary heard the petitioner on 14/11/19. The Chief Town Planner (Planning) and Town Planner, Alappuzha also attended the hearing.

2) The prayer in the writ petition was to consider Ext.P4 representation before finalization of the Master Plan for Kayamkulam town. In the representation, the petitioner sought for canceling the decision of the Kayamkulam Municipal Council regarding acquisition of the land owned by him for the purpose of the proposed Central Municipal Bus Stand in the Master Plan for Kayamkulam town.

3) The Master Plan for Kayamkulam town was published vide G.O. (Ms)No.190/2016/LSGD dt.16/12/2016. As per the proposed land use map(published), a major portion of Survey No.224 is included in the special zone SZ7-Central Municipal Bus Stand zone.

4) The Special committee (For considering objections/ suggestion on the published Master Plans), considered the objection submitted by one Sri.Gopala Krishnan regarding the proposal of Central Private Bus Stand in the land owned by him and the Council in its resolution dated 10/07/19 decided that out of the total land of area 70.4 ares (174 cents) proposed in the draft Master Plan as Central Municipal Bus Stand, 65 cents of land is to be reserved for Central Municipal Bus Stand and the rest of the area is earmarked for Commercial Zone. The Council further recommended to add an additional land of 30 cents in Sy. no.224/5, 10b owned by Suresh Chatterji to this zone.

5) The Town Planner, Alappuzha has informed that if new acquisition proposals are incorporated, the Master Plan will have to be republished and hence it would be preferable to incorporate the proposal as a project of the Municipality.

6) In the hearing ,the Chief Town Planner has informed that as per the final draft proposed land use map, the area under the Central Private Bus Stand have been reduced and there is no new addition into the zone. Hence, as per the final draft, the petitioners plot is not included in the Central Municipal Bus Stand zone and the grievance of the petitioner is properly addressed.

7) The Master Plan submitted by Municipality for final approval as per Section 36(8) of KTCP Act 2016 is under processing.

8) Government have examined all the aspects of the case. As per the decision taken in the hearing, the Kayamkulam Municipality has been requested to modify the resolution dtd. 10/7/19 vide letter read as 2<sup>nd</sup> paper above.

9) The directions contained in the Judgment dated 8/11/19 in W.P.(C)No.25745/19 is thus complied with.

(By order of the Governor)

Sabitha.S.D

Deputy Secretary

To

1. The Advocate General (with covering letter)
2. The Chief Town Planner(Planning), Thiruvananthapuram.
3. The Secretary, Kayamkulam Municipality.
4. The Regional Town Planner,Alappuzha
5. The Executive Director, IKM, Swaraj Bhavan, Thiruvananthapuram (to publish in the Local Self Government Department website).
6. Stock File/Office Copy.

Forwarded/By Order



Section Officer

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