

VERDICTUM.IN

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE THE CHIEF JUSTICE MR. A.J.DESAI
&
THE HONOURABLE MR.JUSTICE V.G.ARUN

Monday, the 18th day of September 2023 / 27th Bhadra, 1945
WP(C) NO. 19992 OF 2023(S)

PETITIONERS:

1. V.D. SATHEESHAN M.L.A, AGED 59 YEARS, S/O. DAMODARA MENON, LEADER OF OPPOSITION, MEMBER, KERALA LEGISLATIVE ASSEMBLY, RESIDING AT DEVARAGAM, KESARI JUNCTION, PERUVARAM WEST, NORTH PARAVUR P.O., PARAVUR, ERNAKULAM DISTRICT - 683 513.
2. RAMESH CHENNITHALA M.L.A., AGED 67 YEARS S/O. LATE RAMAKRISHNA PILLA, MEMBER, KERALA LEGISLATIVE ASSEMBLY, RESIDING AT 485, ANANDAMINDIRAM, NEAR SUBRAMANIA SWAMY TEMPLE, 28, HARIPPAD, ALAPPUZHA DISTRICT - 690 514.

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
2. STATE OF KERALA, DEPARTMENT OF TRANSPORT, REPRESENTED BY THE PRINCIPAL SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
3. STATE OF KERALA, DEPARTMENT OF FINANCE, REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
4. STATE OF KERALA, DEPARTMENT OF INDUSTRIES, REPRESENTED BY THE PRINCIPAL SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
5. THE TRANSPORT COMMISSIONER, 8TH FLOOR, B-BLOCK, CIVIL STATION, KUDAPPANAKKUNNU, THIRUVANANTHAPURAM - 695 043.
6. KERALA STATE ELECTRONICS DEVELOPMENT CORPORATION LTD, [KELTRON], KELTRON HOUSE, VELLAYAMBALAM P.O., THIRUVANANTHAPURAM - 695 033, REPRESENTED BY ITS MANAGING DIRECTOR. E-MAIL : keltron@keltron.org
7. M/S SRIT INDIA PVT. LTD, SRIT HOUSE, #113/1B, ITPL MAIN ROAD, KUNDALAHALLI, BANGALORE - 560 037, KARNATAKA STATE, REPRESENTED BY ITS MANAGING DIRECTOR E-MAIL: harishkumar@renaissance-it.com
8. AL HIND TOURS & TRAVELS PVT. LTD, AL HIND TOWER, OPP. PLANETARIUM, JAFFERKHAN COLONY ROAD, CALICUT - 673 006, REPRESENTED BY ITS MANAGING DIRECTOR, E-MAIL: coo@alhindonline.com, ed@alhindonline.com
9. PRESADIO TECHNOLOGIES PRIVATE LIMITED, 2ND FLOOR, 2/2525-B8, OLIVE ARCADE, MALAPARAMBA JUNCTION, KOZHICKODE - 673 009, REPRESENTED BY ITS MANAGING DIRECTOR EMAIL: admin@presadiotechnologies.com
10. LYTE MASTER LIGHTING INDIA (P) LTD. [A COMPANY REGISTERED UNDER THE COMPANIES ACT 2013], OFFICE AT K.P. 111/955, SHEETHAL MANSIONS, NEAR UDAYANNOOR SIVAN TEMPLE, NALANCHIRA P.O., THIRUVANANTHAPURAM - 695 015, REPRESENTED BY ITS MANAGING DIRECTOR E-MAIL: lytemaster.chennai@gmail.com
11. ECENTRIC DIGITAL PRIVATE LIMITED, (CIN) U72100TG2014PTC094736, REG.NO. 94736, 6-3-663/G/4, 2ND FLOOR, INNOVATIVE HOUSE, PUNJAGUTTA, HYDERABAD, TELANGANA STATE - 500 082, REPRESENTED BY ITS MANAGING DIRECTOR E-MAIL: siva@paradigminfotech.com

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12. M/S. AKSHARA ENTERPRISES INDIA PRIVATE LIMITED, 3-6-182/1&2, STREET NO-17, URDU HALL LANE, TS STATE, AP STATE HOUSING BOARD, HIMAYATNAGAR, HYDERABAD, TELANGANA - 500 029, REPRESENTED BY ITS MANAGING DIRECTOR.
E-MAIL: sreedhar@aksharags.com
13. M/S. ASHOKA BUILDCON LTD., S.NO - 861, ASHOKA HOUSE, ASHOKA MARG, ASHOKA NAGAR, 13B, GULSHAN COLONY, NASHIK, MAHARASHTRA 422 011, REPRESENTED BY ITS MANAGING DIRECTOR.

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to stay Exhibit-P3 and Exhibit-P27 and stay the implementation of fully Automated Traffic enforcement system for Safe Kerala by levying fine on the public and the disbursement of instalments of payments as approved in Exhibit-P27, pending disposal of the Writ Petition.

This petition again coming on for admission upon perusing the petition and the affidavit filed in support of WP(C), this Court's order dated 20/06/2023 and upon hearing the arguments of SRI. GEORGE POONTHOTTAM (SENIOR ADVOCATE) along with M/S NISHA GEORGE, ARUN CHANDRAN, J.VISHNU, A.L.NAVANEETH KRISHNAN & SIDHARTH.R.WARIYAR, Advocates for the petitioners, SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL, SRI.V.MANU, SENIOR GOVERNMENT PLEADER & SRI.N.MANOJ KUMAR, STATE ATTORNEY for R1 to R5, SMT.M.A.ZOHRA, STANDING COUNSEL for R6, M/S. SHYAM PADMAN, C.M.ANDREWS, BOBY M.SEKHAR, LAYA MARY JOSEPH, HARISH ABRAHAM, NICHU WILLINGTON & ASHWATHI SHYAM, Advocates for R7 & R9, M/S. P.BINOD, P.S.MURALI & HARITHA HARINATH, Advocates for R8, M/S. P.SREEKUMAR, HELEN P.A., STEPHANIE SHARON & ATHUL ROY, Advocates for R10 and of M/S. MANSOOR ALI & MUHAMMED SUHAIL P.A, Advocates for R12, the court passed the following:

P.T.O.

A.J.DESAI, C.J.

&

V.G.ARUN, J.

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W.P.(C) No. 19992 of 2023

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Dated this the 18th day of September, 2023

ORDER

A.J.DESAI, C.J.

After having heard the learned Advocates appearing for the respective parties, we pass the following order:

2. Keeping in view the fact that cameras have already been installed by concerned respondents which are working and challans have been issued, we permit the State authorities to release the first installment to the tune of Rs.11,79,11,440/- to be released in favour of KELTRON. The said release should be subject to the outcome of further orders to be passed in the present writ petition.

Post on 18.10.2023.

Sd/-

**A.J.DESAI
CHIEF JUSTICE**

Sd/-

**V.G.ARUN
JUDGE**

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