



## GOVERNMENT OF KERALA

### Abstract

Home Department- Judiciary- Order dated 11.03.2022 of the Hon'ble High Court of Kerala in WP(C) No.22902/2016 filed by Sri. Stanly A. Antony, Managing Partner, Ayinikkal Properties, Angamali- Complied with – Orders issued.

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### HOME(S)DEPARTMENT

G.O.(Rt)No.1144/2024/HOME Dated,Thiruvananthapuram, 17-04-2024

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Read 1 GO(Rt) No.1286/2016/Home, dated 13.4.2016

2 G.O. (P) No.102/2017/Fin, dated 07.08.2017

3 GO(Ms)No.1/2022/PWD, dated 10.01.2022

4 Order dated 11.03.2022 of the Hon'ble High Court of Kerala in WP(C) No.22902/2016 filed by Sri. Stanly A. Antony, Managing Partner, Ayinikkal Properties, Angamali

5 Letter No. DCEKM/3670/2022-H2, dated 09.05.2022 from the District Collector, Ernakulam

6 Letter No. D9B1)- 86348/2015/DI 1-8, dated 28.10.2022 from the Registrar (District Judiciary), High Court of Kerala and the rent certificate No. 05/EE/BLD/EKM/2022-2023, dated 17.10.2022 enclosed therewith.

7 Order dated 04.11.2022 of the Hon'ble High Court of Kerala in I.A.Nos.1 & 2 of 2022 in WP(C) No.22902/2016.

### ORDER

As per the Government order read as 1<sup>st</sup> paper above the rent of the building No.91A, 91B and 91C in ward No.XX of the Angamali Municipality owned by Sri. Stanly A. Antony, Managing Partner,

Ayinikkal Properties, Angamali accommodating the erstwhile Temporary Judicial First Class Magistrate Court Angamali is fixed @ Rs 40,244/- (Rupees Forty Thousand Two Hundred and Forty Four only) per month w.e.f 01.11.2014 as per rent certificate. Later this order was challenged by the owner of the building as Ext P9 produced before the Hon'ble High Court in WP(C) No.22902/2016 and the Hon'ble High Court had by its detailed judgment dated 11.03.2022, read as 4<sup>th</sup> paper above set aside the said Ext P9 Government order and ordered that the writ petition is allowed and Ext. P9 order dated 13.04.2016 is quashed and consequently, there will be a direction to the State Government, Public Works Department, represented by Assistant Engineer, PWD Building Section, Aluva as well as the District Collector, Ernakulam, respondent Nos. 5, 2 and 3 respectively, to fix the rent, taking into account all the aspects discussed above and bearing in mind the ground reality or securing a building on rent for accommodating the Magistrate Court at Angamali, and after providing an opportunity of hearing and participation to the petitioner at the earliest, and at any rate within two months from the date of receipt of a copy of this judgment.

2. As per the letter read as 5<sup>th</sup> paper above the District Collector, Ernakulam had informed Government that hearing was conducted on 29/04/2022 between the petitioner and Assistant Engineer (PWD Buildings), Aluva as ordered in the judgment. As per the order dated 4.11.2022 read as 7<sup>th</sup> paper above, the time granted by the Hon'ble Court is extended from 22.09.2022 upto 15.12.2022.

3. Accordingly as per the letter read as 6<sup>th</sup> paper above, the Registrar (District Judiciary) of High Court of Kerala has furnished a proposal for re-fixing the rent of the building No. 91 A, 91 B & 91 C in ward No.XX of the Angamali Municipality owned by Sri. Stanley A. Antony,

Ainikkal Properties, Angamali accommodating the erstwhile temporary Judicial First Class Magistrate Court, Angamaly @ Rs.45,538/-per month (Rupees Forty Five Thousand Five Hundred and Thirty Eight only) for an occupied area of 419.542 m<sup>2</sup> w.e.f. 01.11.2014, as per the rent certificate. He has also furnished the rent certificate of the Public Works Department read as 6<sup>th</sup> paper above by which the the rent of the Judicial First Class Magistrate Court, Angamaly is fixed as Rs. 45,538/- per month (Rupees Forty five Thousand Five Hundred and Thirty Eight only) for an occupied carpet area of 419.542 sqm w.e.f. 01.11.2014.

4. Government have examined the matter in detail and based on the Government orders read as 2<sup>nd</sup> & 3<sup>rd</sup> paper above, are pleased to accord sanction for the fixation of the rent of the building No.91A, 91B and 91C in ward No.XX of the Angamali Municipality owned by Sri. Stanly A. Antony, Managing Partner, Ayinikkal Properties, Angamali @ Rs.45,538/- (Rupees Forty five Thousand Five Hundred and Thirty Eight only) per month for an occupied area of 419.542 m<sup>2</sup> w.e.f 01.11.2014 as per the rent certificate for accommodating the Judicial First Class Magistrate Court Angamali. The owner of the building can claim for 5% enhancement of rent after 3 years subject to the conditions in Para V(a) of the Government order read as 3<sup>rd</sup> paper above.

5. The judgement of the Hon'ble High Court of Kerala in WP(C) No.22902/2016 read as 4<sup>th</sup> paper above is thus complied with.

(By order of the Governor)  
BEENA P S  
JOINT SECRETARY

To:  
The Advocate General, Kerala, Ernakulam (With C/L)

The Registrar (District Judiciary), High Court, Ernakulam (with C/L)  
Sri Stanly A. Antony, Ayinikkal House, Kundoorkara, Kundoor P.O,  
Thrissur District- 680 734  
The Principal Accountant General (Audit/A&E) Kerala,  
Thiruvananthapuram  
Public Works (E) Department (Vide U.O No PWD-E2/64/2023-PWD,  
dated 03.04.2024)  
I& PR (Web & New Media)Department (For uploading in the  
Government website)  
Stock File/Office Copy ( e- 2257978)

Forwarded /By order

Signed by

Sheena S

Date: 17-04-2024 16:25:04  
Section Officer