

ITEM NO.2

COURT NO.10

SECTION XI -A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 36458/2012

(Arising out of impugned final judgment and order dated 18-09-2012 in WPC No. 26781/2011 passed by the High Court of Kerala At Ernakulam)

SIVANKUTTY

Petitioner(s)

VERSUS

STATE OF KERALA THE CHIEF SECRETARY & ORS.
(FOR ON IA 9649/2013)

Respondent(s)

WITH

SLP(C) No. 10309-10312/2015 (XI -A)
(FOR CONDONATION OF DELAY IN FILING ON IA 5/2015)

S.L.P.(C)...CC No. 4766/2014 (XI)
SLP(C) No. 19265-19268/2013 (XI -A)
(FOR ON IA 50081/2013

FOR ON IA 75776/2013

FOR ON IA 75777/2013

FOR ON IA 18/2015)

SLP(C) No. 20204-20207/2013 (XI -A)

SLP(C) No. 20208-20211/2013 (XI -A)

SLP(C) No. 20212-20215/2013 (XI -A)

SLP(C) No. 19783/2013 (XI -A)

SLP(C) No. 19697/2013 (XI -A)

SLP(C) No. 20187-20190/2013 (XI -A)

(FOR ON IA 61655/2013)

SLP(C) No. 20177-20180/2013 (XI -A)

(FOR ON IA 61649/2013)

SLP(C) No. 20183-20186/2013 (XI -A)

(FOR ON IA 61654/2013)

SLP(C) No. 20191-20194/2013 (XI -A)

(FOR ON IA 61650/2013)

SLP(C) No. 20195-20198/2013 (XI -A)

(FOR ON IA 61656/2013)

SLP(C) No. 20199-20202/2013 (XI -A)

(FOR ON IA 61652/2013)

SLP(C) No. 26481-26484/2014 (XI -A)

(FOR PERMISSION TO FILE SLP ON IA 1/2014)

SLP(C) No. 26462-26465/2014 (XI -A)

(FOR PERMISSION TO FILE SLP ON IA 1/2014)

SLP(C) No. 26476-26479/2014 (XI -A)

(FOR PERMISSION TO FILE SLP ON IA 1/2014)

SLP(C) No. 26489-26492/2014 (XI -A)

(FOR PERMISSION TO FILE SLP ON IA 1/2014)

SLP(C) No. 26471-26474/2014 (XI -A)
(FOR PERMISSION TO FILE SLP ON IA 1/2014)
SLP(C) No. 26485-26488/2014 (XI -A)
(FOR PERMISSION TO FILE SLP ON IA 1/2014)
SLP(C) No. 26467-26470/2014 (XI -A)
(FOR PERMISSION TO FILE SLP ON IA 1/2014)
SLP(C) No. 26493-26496/2014 (XI -A)
(FOR PERMISSION TO FILE SLP ON IA 1/2014)
SLP(C) No. 30278-30281/2014 (XI -A)
SLP(C) No. 30274-30277/2014 (XI -A)
SLP(C) No. 121-124/2015 (XI -A)
(FOR PERMISSION TO FILE SLP ON IA 1/2014)
SLP(C) No. 34249-34252/2014 (XI -A)
SLP(C) No. 30283-30286/2014 (XI -A)
SLP(C) No. 30287-30290/2014 (XI -A)

Date : 06-02-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s) Mr. Ashok Panigrahi, AOR
Ms. S. Bhaduri, Adv.

Mr. Ravi Prakash Mehrotra, AOR

Mr. Sanjeeb Panigrahi, AOR

Mr. Suresh Chandra Tripathy, AOR

Mr. Prasanna Kumar Nanda, Adv.
Ms. Nilakanta Nayak, Adv.
Mr. B.D. Das, Adv.
Mr. Aniruddha P. Mayee, AOR

Mr. S.B. Upadhaya, Sr. Adv.
Mr. Sanjay K. Das, Adv.
Mr. V. K. Monga, AOR
Mr. Swetaketu Mishra, Adv.

Ms. Anindita Pujari, AOR
Ms. Kavita Bhardwaj, Adv.

Mr. Thomas P. Joseph, Sr. Adv.
Mr. M. Gireesh Kumar, Adv.
Mr. Sriram P., Adv.
Mr. Siddhant Sinha, Adv.
Mr. Vijay Kumar, AOR

Mr. Jetendra Singh, Adv.
Ms. Kalpana Sabharwal, Adv.
Ms. Priyank A. Singh, Adv.
Ms. Manju Sharma Jetley, Adv.

Mr. V.V.V. Pattabhiram, Adv.
Mr. Abhishek, Adv.

For Respondent(s) Mr. Suwendu Suvasis Dash, AOR
Ms. Swati Vaibhav, Adv.

Mr. Raj Kumar Mehta, AOR
Ms. Himanshi Andley, Adv.

Mr. Shibashish Misra, AOR

Mr. R. Sathish, AOR
Mr. Bharat Swaroop Sharma, Adv.
Mr. Mohan Das K.K., Adv.
Mr. Rajesh Kumar, Adv.
Mrs. S. Geetha, Adv.
Ms. Smitha Rani, Adv.
Ms. Sonia Vasudev, Adv.

Mr. Sibbo Sankar Mishra, AOR

Mr. Abhisth Kumar, AOR

Mr. M. T. George, AOR

Mr. Haris Beeran, Adv.
Mr. Usman Ghanikhan, Adv.
Mr. Dev Prakash, Adv.
Mr. Radha Shyam Jena, AOR
Mr. Mushtaq Salim, Adv.

UPON hearing the counsel the Court made the following
O R D E R

IN SLP(C) No. 36458 of 2012

We are not inclined to interfere with the impugned judgment and order, consequently the special leave petition stands dismissed.

Pending application, if any, also stand disposed of.

IN SLP(C)...CC No. 4766 of 2014

List next week.

IN ALL OTHER MATTERS

Heard learned counsel for the parties. The question involved in these petitions is about the removal of temple, church, mosque, Gurudwara from the public street, public parks, river banks and on other public places. This court has issued the directions from time to time i.e. on 7.12.2009, which has been reiterated in the subsequent order dated 31.1.2018. For examining these cases, State of Orissa has framed Policy dated 27.03.2010. Under the said Policy, Committee has been constituted. The Committee has to take into consideration the individual cases and take a call which structure is required to be removed and which can be regularised. In case said exercise has not been done so far in any of the matter, let the concerned institutions I.e. temple/church/mosque/gurudwara approach the said Committee and the Committee to decide the matters within three months.

After hearing the institutions applying for regularisation, Committee to decide the matters in objective manner; based thereupon the action has to be taken as directed by this court in the aforesaid orders.

Accordingly the petitions stand disposed of.

(NEELAM GULATI)
COURT MASTER (SH)

(JAGDISH CHANDER)
BRANCH OFFICER