



2026:KER:45287

W.A.No.1235 of 2026

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. SOUMEN SEN

&

THE HONOURABLE MR. JUSTICE SYAM KUMAR V.M.

MONDAY, THE 22ND DAY OF JUNE 2026 / 1ST ASHADHA, 1948

WA NO. 1235 OF 2026

AGAINST THE ORDER DATED IN WP(C) NO.19485 OF 2026 OF HIGH
COURT OF KERALA

APPELLANT/S:

PK UNIQUE PROJECTS PVT LTD
, HAVING ITS REGISTERED OFFICE AT NO.7/264,
60 FEET MAIN ROAD, COOPERATIVE NAGAR, PHASE 1,
THIRUVARKADU, THIRUVALLUR, TAMIL NADU, REPRESENTED BY
ITS DIRECTOR, P. KANNAN, AGE 46 S/O PAULTHURAI RESIDING
AT 7/264.60 FEET MAIN ROAD, THIRUVERKADU, CO-OPERATIVE
NAGAR PHASE -2, AYYAPAKKAM, THIRUVALLUR DISTRICT,
TAMIL NADU,, PIN - 600077

BY ADVS.
SRI.K.R.ARUN KRISHNAN
SMT.DEEPA K.RADHAKRISHNAN
SHRI.P.DEEPAK (SR.)

RESPONDENT/S:

- 1 DC COMMITTEE
CONSTITUTED FOR DEMOLITION & RECONSTRUCTION OF AWHO
CHANDEKUNJ TOWERS B & C, SILVERSAND ISLAND, VYTILLA,
REPRESENTED BY DISTRICT COLLECTOR, CIVIL STATION,
KAKKANAD, ERNAKULAM,, PIN - 682030
- 2 DISTRICT COLLECTOR
CIVIL STATION, KAKKANAD, ERNAKULAM, PIN - 682030
- 3 EXECUTIVE ENGINEER
PWD BUILDING DIVISION, NEAR NGO QUARTERS,
DEVANKULANGARA, MAMANGALAM, EDAPPILLY, ERNAKULAM,,
PIN - 682024



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- 4 **ARMY WELFARE HOUSING ORGANIZATION (AWHO)
REPRESENTED BY ITS MG. DIRECTOR, SOUTH HUTMENTS KASHMIR
HOUSE, RAJAJI MARG, NEW DELHI, PIN - 110011**

- 5 **RESIDENT WELFARE ASSOCIATION
AWHO APARTMENTS, CHANDERKUNJ, SILVERSAND ISLAND,
VYTILLA, KOCHI, REPRESENTED BY ITS SECRETARY,,
PIN - 682019**

- 6 **EDIFICE ENGINEERING
UNIT 126, NEW APPOLO INDUSTRIAL ESTATE, NEAR RAAJ
CHAMBER, MOGRA LANE, ANDHERI EAST, MUMBAI, MAHARASHTRA,
REPRESENTED BY ITS MANAGING PARTNER,, PIN - 400069**

ADDL. A.G. MR. MOHAMMED SHAH

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 22.06.2026,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**JUDGMENT**

Dated this the 22nd day of June, 2026

Soumen Sen, C.J.

We have heard Mr. P. Deepak, learned Senior Advocate instructed by Mr. K.R. Arun Krishnan, learned counsel for the appellant and Mr. Mohammed Shah, learned Additional Advocate General for the State/respondents.

2. The learned Additional Advocate General has submitted that the counter affidavit/statement as directed by the learned Single Judge shall be filed by tomorrow (23rd June, 2026).

3. It appears that the matter is likely to be listed on 14th July, 2026. The learned counsel for the appellant has apprehended that pursuant to the decision taken by the 1st respondent, an agreement is likely to be executed between the said parties and the commencement of the work for demolition would start immediately thereafter. Considering the fact that counter affidavit/statement is going to be filed by tomorrow, we permit the State/respondents to complete all preliminary steps including the execution of the agreement, if they so desire,



however, the commencement of the said agreement shall be only after the prayer for interim order is considered and decided by the learned Single Judge. The learned Single Judge appears to have declined to grant any interim relief in the absence of an affidavit having been filed by the respondents. Now that the respondents propose to file their counter affidavit by tomorrow, it shall be open to the parties to approach the learned Single Judge with a prayer for advancing the hearing of the application for interim relief, particularly having regard to the fact that the complete demolition of the towers is stated to be a necessity and such matters may not brook any delay.

The appeal stands disposed of accordingly, without expressing any opinion on the merits of the case, as we are of the view that the matter is required to be considered and decided by the learned Single Judge in the first instance.

**Sd/-
Soumen Sen
Chief Justice**

**Sd/-
Syam Kumar V.M.
Judge**



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APPENDIX OF WA NO. 1235 OF 2026

PETITIONER ANNEXURES

Annexure A.

**A TRUE COPY OF THE CVC APPROVED TEMPLATE OF
SELECTION METHODOLOGY TO BE FOLLOWED BY THE
TENDERING AUTHORITIES OBTAINED FROM THE
WEBSITE**