IN THE HIGH COURT OF KERMAN AT I RNAKIN AM

THE HONORIEGHT ME DECITE ALEXANDER THOMAS

Monday, the 8th day of June 2020/18th Jyaishta, 1942 WP(C) No 11127/2020 (M)



Petitioner:

Priya Prathap, aged 27 years, W/o Sreejlth D.S., Deepa Nivas, Pallichanda, Pallipuram, Alappuzha, Kerala – 688541 (Proprietor, Anaya E Centre Kiosk under the brand name E-Net Janasevanakendram, Palkkanamkadu Building, Makkekavala, Manappuram P.O., Thycattussery, Cherthalai, Alappuzha District)

Vs.

Respondents:

- 1. The State of Kerala represented by the Chief Secretary, Government of Kerala, Secretariat, Thiruvananthapuram 695001
- 2. The Secretary, Department of Information Technology, Government of Kerala, Secretariat, Thiruvananthapuram 695001
- 3. Kerala State Information Technology Mission, represented by its Director, Department of Information Technology, Government of Kerala. ICT Campus, Vellayambalam, Thiruvananthapuram 695033
- 4. Akshaya Kerala represented by its Director, Akshaya State Project Office, Kochumadathil Building, T.C.No.25/2241, Manjalikulam Road, Thampanoor, Thiruvananthapuram 695001
- 5. Akshaya Project Office represented by District Project Manager, Global Plaza Building, Poothole Road, Thrissur 680004
- 6. The District Collector, Collectorate, Alappuzha, Civil Station ward, Alappuzha District, Kerala 688001.
- The Union of India, represented by the Secretary, Ministry of Electronics & Information Technology, Electronics Niketan, 6, CGO Complex, Lodhi Road, CGO Complex, Pragati Vihar, New Delhi – 110003
- 8. CSC e-Governance Services India Limited, Ministry of Electronics & Information Technology, Electronics Niketan, 6, CGO Complex, Lodhi Road, CGO Complex, Pragati Vihar, New Delhi 110003
- 9. Thycattussery Grama Panchayat, Thycattussery, represented by its Secretary, Thycattussery Grama Panchayat Karyalayam, Thyckattussery



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- The Secretary, Thycattussery Grama Panchayat, Thycattussery Grama Panchayat Karyalayam, Thyckattussery P. O., Alappuzha District -688528
- 11. M. A. Kamaldev, (age or father's name not known), Convener, District Committee, AITE Akshaya, Alappuzha 688011
- 12. L. Laiju, (age or father's name not known), Joint Convener, District Committee, AITE Akshaya, Alappuzha 688011

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 all further proceedings pursuant to Exhibit P6,P9,P10 orders of the first and second respondents, as far it affects the petitioner, and P-13 notice of the 10th respondent Panchayat Secretary and to enable the petitioner to conduct her CSC kiosk without any hindrances, pending disposal of the Writ Petition.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of SRI. K.SHAJ, Advocate for the petitioner, GOVERNMENT PLEADER for R1 to R6 and of SRI. P. VIJAYAKUMAR, ASSISTANT SOLICITOR GENERAL OF INDIA for R7 & R8, the court passed the following:

p.t.o.



ALEXANDER THOMAS, J

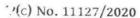
WP(c) No. 11127/2020

DATED THIS THE 8th DAY of June, 2020

ORDER

Notice before admission for official respondents 1 to 6 have been taken by the learned Government Pleader and for R7 and R8 has been taken by Sri. P. Vijayakumar, learned Asst. Solicitor General of India. Issue notice before admission to R9 to R12 by speed post returnable within 10 days.

- 2. The petitioner is also permitted to serve such notice on R9 and R10 (Thycattussery Gramapanchayat) through email. Petitioner will immediately intimate the Registry about the official email ID of the Panchayat, upon which Registry will ensure that such notice is served on R9 and R10 through email addressed to the Secretary of the Gramapanchayat.
- 3. Taking note of the facts and circumstances of the case, it is ordered that the operation and enforcement of the impugned Exts.P6, P9 and P10 orders of the 1st and 2nd respondents and Ext.P13 notice issued by the 10th respondent Panchayat to the extent if affects the conduct of the petitioner's e-kiosk will stand stayed and shall be kept in abeyance and thereby petitioner will stand permitted to conduct the CSC Kiosk. This order is provisional and will be subject to further orders to be passed by this





Court in this WP(C) and will also be subject to the final result of the WP(C).

Further, this interim order will be in force for a period of 6 weeks.

Post on 09/07/2020 in the admission list.

SD/-

ASSISTANT REGISTRAR

ALEXANDER THOMAS, JUDGE

Nsd/08/06/2020

Handover

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ONLINE COPY APPLICATION



WP(C) No.11127/2020 (M)

- EXHIBIT P6:-THE TRUE COPY OF THE ORDER NO. S.E. (Ord) NO. 177/2018/D.I.T.

 DATED 27-06-2018 ISSUED BY THE FIRST RESPONDENT THROUGH THE
 SECOND RESPONDENT.
- EXHIBIT P9:-THE TRUE COPY OF THE ORDER NO. I.T.C. 2/93/2018 D.I.T DATED 06-07-2018 ISSUED BY THE FIRST RESPONDENT STATE GOVERNMENT THROUGH THE SECOND RESPONDENT.
- EXHIBIT P18:-THE TRUE COPY OF THE ORDER NO. C.E.(K) NO. 26/2019/D.I.T. DATED 07/11/2019 ISSUED BY THE FIRST RESPONDENT STATE GOVERNMENT THROUGH THE SECOND RESPONDENT.
- EXHIBIT P13:-THE TRUE COPY OF THE NOTICE NO. C2-5534/2019 DATED 25/03/2020 ISSUED BY THE 10TH RESPONDENT TO THE PETITIONER.

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