

News

The Kerala High Court rejects an appeal against Lulu Mall's parking fee levy.



Today, a Division Bench of the Court maintained a one-judge decision that allowed Lulu Mall to charge parking fees to guests.

An appeal contesting the Lulu International Shopping Mall in Kochi's parking fee collecting was denied by the Kerala High Court on Saturday. [State of Kerala v. Bosco Louis & ors]

A single-judge's finding that a mall owner has the right to charge parking fees to customers as

long as the mall owner has a municipal license to do so was upheld by a Division Bench made up of Justices SA **Dharmadhikari** and Syam Kumar VM.

In order to make up for the loss of an unscheduled holiday that was announced on October 3, the Court operated on a Saturday.

A High Court single judge made a distinction between two parking lots at Lulu Mall: the basement lot, where fee collection was ruled to be lawful, and the nearby multi-level lot, where fee collection was ruled unlawful because the owner lacked a license under Section 475 of the Kerala Municipality Act.

Filmmaker Pauly Vadakkan and a man named Bosco Louis filed the applications after Vadakkan was assessed ₹20 in parking costs while at the mall.

Commercial complexes are required to offer free parking to guests, thus they had argued that the tax was in violation of the Kerala Municipality Act and the Building Rules.

Lulu Mall, on the other hand, had retorted that there was no legal restriction on charging fair prices for parking lots, adding that mall owners had invested considerably in building and maintaining parking lots with sufficient safety and security measures.

The Court's decision to dismiss the appeal essentially permits Lulu Mall to keep collecting parking fees as long as the business is properly permitted under local law.

KR Deepa, the state's government head, made an appearance.

The **Kalamassery** Municipality was represented by Standing Counsel MK Aboobaker.

At LuLu International Shopping Mall, senior counsel S Sreekumar made an appearance with the help of lawyers P Martin Jose, Prajith P, Githesh R, Manjunath Menon, Sachin Jacob Ambat, Harikrishnan S, Ajay Ben Jose, Anna Linda Eden, Hani P Nair, and Thomas P Kuruvilla.