

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

WP(C).No. 3784 of 2005 (A)

PETITIONERS :

1. THE JAYAKUMAR, SREELAKAM,
MELAMCODE, NEDUMANGADU, THIRUVANANTHAPURAM.
2. R.S.RAJEEV, RAJEEVAM, CHELLAMCODE,
NEDUMANGADU, THIRUVANANTHAPURAM.

BY ADVS.SRI.D.KISHORE
SMT.MEERA GOPINATH

RESPONDENTS :

1. THE NEDUMANGADU MUNICIPALITY,
REPRESENTED BY ITS CHAIRMAN, NEDUMANGADU,
THIRUVANANTHAPURAM.
2. THE SECRETARY, NEDUMANGADU MUNICIPALITY,
NEDUMANGADU, THIRUVANANTHAPURAM.
3. THE TRIBUNAL FOR LOCAL SELF GOVERNMENT INSTITUTIONS,
THIRUVANANTHAPURAM.

BY SRI.P.RAMAKRISHNAN, SC FOR R1&2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS :-

- EXT.P1 : COPY OF THE APPLICATION FOR RELINQUISHMENT OF LAND SUBMITTED BY THE 1ST PETITIONER ON 3.2.03.
- EXT.P2 : COPY OF THE APPLICATION FOR RELINQUISHMENT OF LAND SUBMITTED BY THE 2ND PETITIONER ON 3.2.03.
- EXT.P3 : COPY OF THE REPLY SUBMITTED BY THE 1ST PETITIONER ON 18.5.04 TO THE 2ND RESPONDENT.
- EXT.P4 : COPY OF THE PETITION DTD.19.7.04 SUBMITTED BY THE 1ST PETITIONER TO THE 2ND RESPONDENT.
- EXT.P5 : COPY OF THE ORDER NO.TP 3421/04 DTD.8.9.04 OF THE 2ND RESPONDENT ISSUED TO THE 1ST PETITIONER.
- EXT.P6 : COPY OF THE REPRESENTATION DTD.20.9.04 SUBMITTED BY THE 1ST PETITIONER BEFORE THE CHAIRPERSON NEDUMANGADU MUNICIPALITY.
- EXT.P7 : COPY OF THE EXPLANATION DTD.19.7.04 SUBMITTED BY THE 2ND PETITIONER BEFORE THE 2ND RESPONDENT.
- EXT.P8 : COPY OF the ORDER NO.TP 3257/04 DTD.8.9.04 ISSUED BY THE 2ND RESPONDENT TO THE 2ND PETITIONER.
- EXT.P9 : COPY OF THE REPRESENTATION DTD.15.9.04 SUBMITTED BY THE 2ND PETITIONER BEFORE THE CHAIRMAN, NEDUMANGADU MUNICIPALITY.
- EXT.P10 : COPY OF THE APPEAL MEMORANDUM ALONG WITH STAY PETITION SUBMITTED BY THE 1ST PETITIONER BEFORE THE TRIBUNAL.
- EXT.P11 : COPY OF THE APPEAL MEMORANDUM AND STAY PETITION FILED BY THE 2ND RESPONDENT BEFORE THE TRIBUNAL.
- EXT.P12 : COPY OF THE AFFIDAVIT AND PETITION TO CONDONE THE DELAY FILED BY THE 1ST PETITIONER ALONG WITH EXT.P10.
- EXT.P13 : COPY OF THE AFFIDAVIT AND PETITION TO CONDONE THE DELAY FILED BY THE 2ND PETITIONER ALONG WITH EXT.P11.
- EXT.P14 & 14(a): COPIES OF THE DEMAND DRAFT WITH MEMO EVIDENCING THE REMITTANCE OF FEE OF EXTS.P10 & P11.

RESPONDENTS' EXHIBITS : NIL.

True copy

P.A to Judge

ANIL K.NARENDRA, J.

W.P.(C)No.3784 of 2005

Dated this the 22nd day of July, 2015

JUDGMENT

This Writ Petition has been filed seeking a declaration that the provisions under the Limitation Act, 1963 is applicable to the proceedings before the Tribunal for the Local Self Government constituted under Section 271-S of the Kerala Panchayat Raj Act, 1994 and for other consequential reliefs.

Today when the case was taken up for final hearing, both sides have submitted that, the issue raised in this Writ Petition is covered against the petitioners in the judgment of a Division Bench of this Court in **Rermal Padmanabhan Vs. Tribunal for Local Self Government Institutions, Thiruvananthapuram and another 2015(3) KHC 406**].

In such circumstances, this Writ Petition is dismissed.

ANIL K.NARENDRA, JUDGE

skj