

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

WA.No. 2318 of 2015 IN WP(C).17890/2015

AGAINST THE JUDGMENT IN WP(C) 17890/2015 DATED 23-06-2015

APPELLANT/STRANGER :

MURALEEDHARA PANICKER
S/O GOPALA KURUP, RESIDING AT MURALI BHAVANAM
VALIKKUNNAM MURI, MAVELIKKARA

BY ADV. SRI.C.D.ANIL

RESPONDENTS/PETITIONER &RESPONDENTS :

1. SHAJI NATH, AGED 39 YEARS,
S/O RAMACHANGRAN PILLAI, KOLEDATH HOUSE
PUTHENCHANTHA, VALLIKKUNNAM, MAVELIKKARA
2. STATE OF KERALA,
REPRESENTED BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF LOCAL SELF
GOVERNMENTTHIRUVANATHPAURAM-695 001
3. DIRECTOR OF PANCHAYATH
SECRETARIAT, THIRUVANANTHAPURAM-695 001
4. VALLIKKUNAM GRAMA PANCHAYATH
VALLIKKUNNAM, MAVELIKKARA TALUK,
ALAPPUZHA DISTRICT, REPRESENTED BY ITS SECRETARY, 690 501
5. DISTRICT OFFICER
OFFICE OF SOCIAL WELFARE OFFICE
ALAPPUZHA DIST - 688 001.

R1 BY ADV.SRI.N.K.KARNIS

R2, R3 & R5 BY SPL.GOVERNMENT PLEADER, SMT. GIRIJA GOPAL.

R4 BY SRI.R.SUNIL KUMAR

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 29-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ASHOK BHUSHAN, C.J. & A.M. SHAFFIQUE, J.

W.A. No. 2318 OF 2015

Dated this the 29th day of October, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard both the sides. This writ appeal has been filed against the judgment dated 23.06.2015 by which the learned Single Judge allowed the writ petition filed by the 1st respondent herein.

2. The 1st respondent filed the writ petition seeking a direction to the 3rd respondent to transfer Anganvady No.132 from the premises of the petitioner to another building No.VP/V/48 of Vallikunnam Grama Panchayat. Learned Single Judge has allowed the writ petition directing the Panchayat to shift the Anganvady. The appellant's case is that his two grand children are studying in the Anganvady in question and by such shifting he is aggrieved. The appellant has filed this writ appeal with leave of this Court as he was initially not a party to the writ proceedings.

3. Learned Senior Counsel appearing for the writ petitioner Sri.N.Sukumaran submits that the premises, where

the Anganvady is going to be shifted, is only 20 meters away from the present place and is near to the appellant's house.

As the only claim of the appellant is that his two grand children are studying, we are of the view that there is no ground in this appeal to interfere. By shifting of the Anganvady a few meters away, none of the rights of the appellant can be said to have affected so as to invoke the appellate jurisdiction in the present case. Hence the Writ Appeal is dismissed.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**