

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 23RD DAY OF JANUARY 2015/3RD MAGHA, 1936

WP(C).No. 199 of 2015 (Y)

PETITIONER(S):

**MARIYAMMA, AGED 72 YEARS,
W/O.YOHANAN (LATE), KAVALIPADAN (H), POOTHAMKUTTY,
TABOOR P.O., ANGAMALY.**

**BY ADVS.SRI.SUNIL KUMAR A.G
SRI.BIJU.P.N.**

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
DEPARTMENT OF LOCAL SELF GOVERNMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. THE MOOKANOOR GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY, MOOKANOOR - 683 577.**
- 3. THE SECRETARY,
MOOKANOOR GRAMA PANCHAYATH, MOOKANOOR - 683 577.**
- 4. POULOSE,
S/O.THOMAS, KAVALIPADAN (H), POOTHAMKUTTY,
TABOOR P.O., ANGAMALY - 683 577.**

**R2 & R3 BY ADVS. SRI.M.RAJAGOPALAN NAIR
SRI.G.BIJU
R1 BY GOVERNMENT PLEADER SRI.ABDUL REHMAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 23-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

WP(C).No. 199 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE REPRESENTATION DATED 12.12.2014.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 199 of 2015

Dated this the 23rd day of January, 2015

JUDGMENT

Heard the learned counsel for the petitioner and the learned counsel for the respondents, as well as the learned Government Pleader, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. Briefly stated, when the second respondent Grama Panchayat had proposed to take over, allegedly at the instance of the fourth respondent, what is said to be the private road belonging to the petitioner, she made Exhibit P1 representation in that regard. Complaining of in-action on the part of the Grama Panchayat in considering Exhibit P1 expeditiously, the petitioner filed the present writ petition.

3. The learned counsel for the Grama Panchayat has submitted that the Grama Panchayat does not have any objection to consider Exhibit P1 representation in accordance

with law.

4. In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioner and the learned counsel for the respondents, as well as the learned Government Pleader, without expressing any opinion on the merits of the matter, this Court disposes of the present writ petition with a direction to the respondent Grama Panchayat to consider Exhibit P1 representation of the petitioner in accordance with law, after affording an opportunity of personal hearing to the petitioner, and pass appropriate orders thereon as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment. It is made clear that till Exhibit P1 is heard and a decision is taken, status quo existing as on today shall be maintained.

With the above observation, this writ petition is disposed of.

DAMA SESHADRI NAIDU
JUDGE

DMR/-