

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

WP(C).No. 1350 of 2015 (P)

PETITIONER:

**V.R.ALAKARAJ,
S/O.RAMASWAMY, AGED 39,
KRISHNA BHAVAN, KOVILLOOR KARA,
KOVILLOOR PO, VATTAVADA VILLAGE,
DEVIKULAM TALUK, IDUKKI DISTRICT.**

**BY ADVS.SRI.N.K.KARNIS
SRI.S.SHYAM**

RESPONDENT(S):

- 1. THE LAND REVENUE COMMISSIONER,
LAND REVENUE COMMISSIONERATE, MUSEUM,
THIRUVANANTHAPURAM - 695 303.I**
- 2. THE REVENUE DIVISIONAL OFFICER,
DEVIKULAM, IDUKKI DISTRICT - 685 613.**
- 3. THE TAHSILDAR,
DEVIKULAM, IDUKKI DISTRICT - 685 613.**
- 4. THE DEPUTY TAHSILDAR, KDH VILLAGE,
MUNNAR, DEVIKULAM TALUK, IDUKKI DISTRICT - 685 613.**

BY GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 1350 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1 - TRUE COPY OF THE GO(MS)NO.360/REV DATED 03-04-1959.**
- EXT.P2 - TRUE COPY OF THE PATTA DATED 21-6-1983.**
- EXT.P3 - TRUE COPY OF THE SALE DEED BEARING NO.2905/12 OF DEVIKULAM S.R.O.**
- EXT.P4 - TRUE COPY OF THE GENUINENESS CERTIFICATE ISSUED BY THE TAHSILDAR DEVIKULAM DATED 16-1-2014.**
- EXT.P5 - TRUE COPY OF THE BUILDING PERMIT.**
- EXT.P6 - TRUE COPY OF THE APPLICATION FOR NOC.**
- EXT.P7 - REPORT OF THE 4TH RESPONDENT TO THE 2ND RESPONDENT.**
- EXT.P8- TRUE COPY OF THE LETTER OF THE 2ND RESPONDENT DATED 26-12-2014.**
- EXT.P9 - TRUE COPY OF THE RELEVANT PAGES OF THE FILE MAINTAINED BY THE 2ND RESPONDENT.**

RESPONDENT(S)' EXHIBITS: - **NIL**

/TRUE COPY/

P.A. TO JUDGE

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 1350 of 2015

Dated this the 21st day of January, 2015

J U D G M E N T

The petitioner has approached this Court with the following prayers:

- "i. Call for the records relating to Exts-P1 to P9 from the respondents.*
- ii. Issue a writ or mandamus or any other writ or Order or direction to the 2nd respondent to dispose Ext.P6 application in accordance with law, after affording opportunity of hearing to the petitioner, within a time frame fixed by this Hon'ble Court without insisting for authenticated copy of Ext.P1, Government Order from the office of the 1st respondent and by relying on legible copy of Ext P1 produced by the petitioner."*

2. The case of the petitioner is that, the petitioner has submitted Ext.P6 application before the 3rd respondent for NOC for construction of a residential building. The 3rd respondent has not consider the same. Hence he has approached this Court by filing this writ petition.

3. Heard the learned Government Pleader as well.

4. After hearing both the sides, the writ petition is disposed of, directing the 3rd respondent to consider and pass

appropriate orders on Ext.P6, in the light of the relevant records, without insisting for production of authenticated copy of Ext.P1; after affording an opportunity of hearing to the petitioner and other interested parties, if any. It shall be done, at the earliest, at any rate, within 'six weeks' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of this judgment along with a copy of this writ petition before the 2nd respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.